

SENATE JOURNAL
SIXTY-EIGHTH LEGISLATURE
STATE OF WASHINGTON

AT

OLYMPIA, THE STATE CAPITOL

2024 Regular Session
Convened January 8, 2024
Adjourned Sine Die March 7, 2024



Official Record of All Senate Actions Compiled, Edited and Indexed
Pursuant to Article II, Section 11 of the Constitution of the State of Washington,

Volume 1

Sean T. Kochaniewicz,
Journal Clerk

Brittany Yunker Carlson,
Minute and Status Clerk

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Senator Karen Keiser, *President Pro Tempore*
Senator John Lovick, *Vice President Pro Tempore*
Sarah Bannister, *Secretary of the Senate*

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SENATE CAUCUS OFFICERS

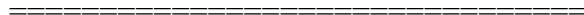
2024

DEMOCRATIC CAUCUS

Majority Leader Andy Billig
Majority Caucus Chair Bob Hasegawa
Majority Floor Leader Jamie Pedersen
Majority Whip T’wina Nobles
Majority Deputy Leader Manka Dhingra
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Majority Leadership Liaison to Tribal Nations Derek Stanford
Majority Caucus Vice Chair Rebecca Saldaña
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Majority Assistant Whip Claire Wilson

REPUBLICAN CAUCUS

Republican Leader John Braun
Republican Caucus Chair Judy Warnick
Republican Floor Leader Shelly Short
Republican Whip Keith Wagoner
Republican Caucus Deputy Leader Chris Gildon
Republican Caucus Vice Chair Ron Muzzall
Republican Assistant Floor Leader Nikki Torres
Republican Assistant Whip Perry Dozier



Secretary of the Senate Sarah Bannister
Deputy Secretary Colleen Pehar

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Senate Seating

2024 Session

= District

Lias 21	Lovick 44	Van De Wege 24	Valdez 46	Stanford 1	Conway 29	Kuderer 48	Lovelett 40
Schoesler 9	King 14	Wagoner 39	Salomon 32	Wilson, C. 30	Saldaña 37	Keiser 33	
Rivers 18	Padden 4	Fortunato 31	Frame 36	Randall 26	Nguyễn 34		
Wilson, L. 17	Braun 20	Short 7	Pedersen 43	Billig 3	Robinson 38		
Warnick 13	Muzzall 10	Torres 15	Dhingra 45	Nobles 28	Hasegawa 11		
Hawkins 12	McCune 2	Dozier 16	Kauffman 47	Trudeau 27	Hunt 22		
Holy 6	Wilson, J. 19	Gildon 25	Cleveland 49	Wellman 41	Mullet 5		
	MacEwen 35	Boehnke 8	Hansen 23	Shewmake 42			

Sgt. At Arms	Status/Minute Clerk	Reading Clerk	Secretary of the Senate	Deputy Secretary of the Senate
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Andy Staubitz	Brittany Yunker Carlson	Sean Kochaniewicz	Sarah Bannister	Colleen Pehar
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Senate Counsel Jeannie Gorrell	President of the Senate Lieutenant Governor Denny Heck	Senate Counsel Suchi Sharma
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FIRST DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 8, 2024

At 12 o'clock noon, pursuant to law, the Senate of the 2024 Regular Session of the Sixty-Eighth Legislature of the State of Washington assembled in the Senate Chamber at the State Capitol. Lieutenant Governor Denny Heck, President of the Senate, called the Senate to order.

The Secretary called the roll and announced to the President that all senators were present.

The Washington State Patrol Honor Guard, composed of Lieutenant Matt Fehler, Trooper Brian Chase, Trooper Ryan Michael, Trooper Kyle Flaig, and Sergeant James Maguire presented the Colors.

The President led the Senate in the Pledge of Allegiance.

The National Anthem was performed by Ms. Amanda Bacon accompanied by American Sign Language students from North Thurston High School in Lacey, led by their teacher Ms. Cathy Boos. Ms. Bacon was a guest of Senator Van De Wege.

Mr. Amit Shah, Founder of the Jain Centre of Washington State, offered the invocation. Mr. Shah was a guest of Senator Dhingra.

REMARKS BY THE PRESIDENT

President Heck: "Welcome back. Senator Saldaña, especially, welcome back. One hundred and thirty-five years ago, fittingly on July 4th, seventy-five people from across the territory of Washington met in the territorial capital just down the street from here. They labored through fifty days of hot and particularly sticky weather, but at the end of that they produced results. And their result was the proposed constitution, the founding document of our state. I would like at this time to acknowledge its display to my left, your right, for the first time in the history of the legislature to be on display in public here. I would invite each and every one of you to take a look at it before you leave. We are especially grateful to your former member and our friend, Secretary of State Steve Hobbs, who made this possible. Secretary Hobbs please stand. Acknowledge him please."

The Senate rose and recognized the Honorable Steve Hobbs, Secretary of State, former member of the Senate, who was present in the south gallery.

President Heck: "And our gratitude to all the archivists who, somewhat reluctantly but ultimately, allowed for Secretary Hobbs to make this decision. Miles Moore was the final territorial governor at the time. He proposed that the constitution go on the ballot shortly thereafter, October 1st, for ratification or rejection. In fact, it was ratified by an almost 4 to 1 margin. I can't think of anything more appropriate than to display it here today to remind ourselves of our purpose and our mission. Our system of government is unique. It's been called 'The Great Experiment,' 'the longest surviving democracy in the world,' and our state is an extension of that. We govern through rule of law - not the whim of an individual - but the rule of law which is your sacred mission to modify and propose changes to, in keeping with our founding document. Thank you again Secretary Hobbs very much. It is a special honor to be able to display that. And, with that, let's get to work."

MOTION

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

LETTER OF RESIGNATION

June 20, 2023

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Dear Governor Inslee:

On June 20 at 9 a.m. I will be sworn into the office of Kitsap County Commissioner, District #1, to fulfill a vacancy left by former County Commissioner Robert Gelder.

I am writing to notify you of my resignation from the Washington State Senate, Legislative District 23, effective August 15, 2023.

Following notification to you, the Chair of the Kitsap County Democratic Party and the Chair of the 23rd Legislative District Democrats, a formal nomination process will begin locally to name my replacement to the State Senate.

Serving in the Washington State Legislature has been a tremendous honor. I am proud of the work I have done to fairly represent the people of Kitsap County and gratified to have had their trust and support. I have dedicated much effort over the past 17 years to lead with optimism and pragmatism, to ensure that our public schools are amply funded, that our forests and waters are conserved, that our fish and wildlife are abundant, and that all Washingtonians are treated with the respect and dignity we all deserve.

As the Chair of the Ways and Means Committee for the past six years, I am proud of the gains we have made in fiscal sustainability, reforming our tax code, investing in public and community health, and leading the nation in climate resilience and pollution reduction investments. It has been my great pleasure to work closely with you and your staff in those endeavors.

There are so many talented and intelligent people working in Washington State, both within our state agencies and as elected leaders. I will miss my legislative work and colleagues, and yet I am very much looking forward to my new, local role where I can roll up my sleeves and directly impact my community.

Thank you for accepting my resignation, dated August 15, 2023.

Sincerely,
/s/
Christine Rolfes
Washington State Senator
23rd Legislative District

MESSAGE FROM BOARD OF COMMISSIONERS,
KITSAP COUNTY

A RESOLUTION NO. 146 - 2023

APPOINTING DREW HANSEN TO REPRESENT
LEGISLATIVE DISTRICT NO. 23 IN THE WASHINGTON
STATE SENATE, FILLING A VACANCY LEFT BY THE
RESIGNATION OF CHRISTINE ROLFES.

Nobles, Vice Chair
C. Wilson, Vice Chair
 Hunt
 Mullet
 Pedersen

Dozier
 McCune

Kauffman
 Lovelett
 Nobles
 C. Wilson
 Valdez

Paden
 J. Wilson

Environment, Energy & Technology

Nguyen, Chair
Lovelett, Vice Chair
 Lovick
 Trudeau
 Wellman

MacEwen, Ranking
 Short
 Boehnke

Health & Long-Term Care

Cleveland, Chair
Robinson, Vice Chair
 Conway
 Dhingra
 Randall
 Van De Wege

Rivers, Ranking
Muzzall, Asst. Ranking
 Holy
 Padden

Higher Education & Workforce Development

Randall, Chair
Nobles, Vice Chair
 Hansen

Holy, Ranking
 Hawkins

Housing

Kuderer, Chair
Frame, Vice Chair
 Cleveland
 Saldaña
 Shewmake
 Trudeau

Fortunato, Ranking
 Braun
 Gildon
 Rivers
 J. Wilson

Human Services

C. Wilson, Chair
Kauffman, Vice Chair
 Frame
 Nguyen

Boehnke, Ranking
 Warnick
 J. Wilson

Labor & Commerce

Keiser, Chair
Conway, Vice Chair
Saldaña, Vice Chair
 Hansen
 Stanford

King, Ranking
 Braun
 MacEwen
 Schoesler

Law & Justice

Dhingra, Chair
Trudeau, Vice Chair
 Kuderer
 Pedersen
 Salomon
 Valdez

Padden, Ranking
 McCune
 Torres
 Wagoner
 L. Wilson

Local Government, Land Use & Tribal Affairs

Lovelett, Chair
Salomon, Vice Chair
 Kauffman

Torres, Ranking
 Short

State Government & Elections

Hunt, Chair
Valdez, Vice Chair
 Hasegawa
 Kuderer

J. Wilson, Ranking
 Dozier
 Fortunato

Transportation

Litas, Chair
Lovick, Vice Chair
Shewmake, Vice Chair
 Cleveland
 Hansen

King, Ranking
Holy, Asst. Ranking
 Fortunato
 Hawkins
 MacEwen

Ways & Means

Robinson, Chair
Nguyen, Vice Chair
Operating
Mullet, Vice Chair Capital
 Billig
 Conway
 Dhingra
 Hasegawa
 Hunt
 Keiser
 Pedersen
 Randall
 Saldaña
 Van De Wege
 Wellman

L. Wilson, Ranking Operating
Gildon, Asst. Ranking Operating
Schoesler, Ranking Capital
Rivers, Asst. Ranking Capital
Warnick, Asst. Ranking Capital
 Boehnke
 Braun
 Muzzall
 Torres
 Wagoner

Rules

Lt. Governor Heck, Chair
Keiser, Vice Chair
 Billig
 Cleveland
 Hasegawa
 Kuderer
 Lovick
 Pedersen
 Salomon
 Saldaña
 C. Wilson

Braun, Ranking
 Gildon
 King
 Muzzall
 Rivers
 Short

MOTIONS

On motion of Senator Pedersen and without objection, the appointments to the standing committees were confirmed by voice vote.

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

INTRODUCTION AND FIRST READING

SB 5773 by Senator Torres

AN ACT Relating to public defense services; amending RCW 10.101.050 and 10.101.060; adding new sections to chapter 10.101 RCW; and repealing RCW 10.101.070 and 10.101.080.

Referred to Committee on Law & Justice.

SB 5774 by Senators Billig, Hawkins, Wilson, C., and Wellman

AN ACT Relating to increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs; amending RCW 43.216.270 and 74.15.030; creating a new section; and declaring an emergency.

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

SB 5775 by Senators Keiser, Cleveland, Randall, Van De Wege,

Conway, Dhingra, and Kauffman

FIRST DAY, JANUARY 8, 2024

AN ACT Relating to cost-sharing requirements for prescription epinephrine autoinjectors; reenacting and amending RCW 41.05.017; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5776 by Senators Keiser, Cleveland, Randall, Van De Wege, Conway, Dhingra, and Kauffman

AN ACT Relating to accessing an emergency supply of insulin; adding new sections to chapter 70.330 RCW; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 5777 by Senators Keiser, Conway, Lovick, Valdez, Trudeau, Shewmake, Randall, Van De Wege, Dhingra, Stanford, Hasegawa, Nguyen, Hunt, Kauffman, Lias, and Frame

AN ACT Relating to unemployment insurance benefits for striking or lockout workers; amending RCW 50.20.090; reenacting and amending RCW 50.29.021; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5778 by Senators Keiser, Lovick, Conway, Trudeau, Stanford, Randall, Shewmake, Dhingra, Van De Wege, Nguyen, Valdez, Kauffman, Hasegawa, Lovelett, Lias, Frame, and Hunt

AN ACT Relating to protecting the rights of workers exercising their right to refrain from attending meetings or listening to their employer's speech on political or religious matters; adding new sections to chapter 49.44 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5779 by Senators Wilson, J., Frame, Braun, Valdez, Gildon, Lovick, Padden, Fortunato, Wilson, L., and Wagoner

AN ACT Relating to the public records exemptions accountability committee; and amending RCW 42.56.140.

Referred to Committee on State Government & Elections.

SB 5780 by Senators Torres, Dhingra, Padden, Boehnke, and Wilson, L.

AN ACT Relating to expanding training opportunities for public defense; adding a new section to chapter 2.70 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5781 by Senators Torres, Dhingra, Padden, Boehnke, and Wilson, L.

AN ACT Relating to establishing a law student rural public defense program; adding a new section to chapter 2.70 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5782 by Senator Torres

AN ACT Relating to evaluation of the provision of right to counsel services; adding a new section to chapter 2.70 RCW; making an appropriation; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5783 by Senators Mullet, Van De Wege, Conway, and Cleveland

AN ACT Relating to mitigating the consumer impacts of the climate commitment act by creating greater administrability of emissions exemptions and improving the transparency and business practices under the act; amending RCW 70A.65.010, 70A.65.070, 70A.65.150, 70A.65.080, 46.17.350, 46.17.355, and 70A.65.100; adding new sections to chapter 70A.65 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5784 by Senators Van De Wege, and Muzzall; by request of Department of Fish and Wildlife

AN ACT Relating to deer and elk damage to commercial crops; amending RCW 77.36.080, 77.36.100, and 77.36.130; and creating a new section.

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

SB 5785 by Senators Warnick, and Shewmake; by request of Department of Fish and Wildlife

AN ACT Relating to department of fish and wildlife authority with regard to certain nonprofit and volunteer organizations; and adding a new section to chapter 77.12 RCW.

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

SB 5786 by Senators Pedersen, and Padden; by request of Washington State Bar Association

AN ACT Relating to making updates to the Washington business corporation act; amending RCW 23B.07.250, 23B.07.270, 23B.08.080, 23B.08.240, 23B.09.030, 23B.10.030, 23B.12.020, 23B.13.020, 23B.13.200, 23B.13.210, 23B.13.220, 23B.17.015, 23B.25.100, and 23B.25.130; reenacting and amending RCW 23B.01.400; adding a new chapter to Title 23B RCW; and repealing RCW 23B.11.010, 23B.11.020, 23B.11.030, 23B.11.035, 23B.11.040, 23B.11.045, 23B.11.050, 23B.11.060, 23B.11.070, 23B.11.080, 23B.11.090, 23B.11.100, and 23B.11.110.

Referred to Committee on Law & Justice.

SB 5787 by Senators Pedersen and Padden; by request of Uniform Law Commission

AN ACT Relating to the uniform electronic estate planning documents act; amending RCW 1.80.020; and adding a new chapter to Title 11 RCW.

Referred to Committee on Law & Justice.

SB 5788 by Senators Pedersen and Wagoner

AN ACT Relating to accessibility for service animals in training; amending RCW 49.60.214 and 49.60.215; and reenacting and amending RCW 49.60.040.

Referred to Committee on Law & Justice.

SB 5789 by Senators Mullet and Schoesler

AN ACT Relating to the sales and use tax for school construction assistance program capital projects; and amending RCW 28A.525.166.

Referred to Committee on Ways & Means.

ESB 5790 by Senators Dhingra, Wellman, Kuderer, Nobles, Trudeau, and Hunt

AN ACT Relating to bleeding control equipment in schools; and adding a new section to chapter 28A.320 RCW.

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

SB 5791 by Senators Padden and Liias

to the evaluation of the effectiveness of oral fluid roadside information in the enforcement of driving under the influence laws; creating a new section; and providing an expiration date.

Referred to Committee on Transportation.

SB 5792 by Senators Padden and Pedersen

AN ACT Relating to exempting buildings with 12 or fewer units that are no more than three stories so long as one story is utilized for either parking or retail, from the definition of multiunit residential building; and amending RCW 64.55.010.

Referred to Committee on Law & Justice.

SB 5793 by Senator Saldaña

AN ACT Relating to paid sick leave; and amending RCW 49.46.210.

Referred to Committee on Labor & Commerce.

SB 5794 by Senators King and Keiser

AN ACT Relating to architecture licensing examinations; and amending RCW 18.08.360.

Referred to Committee on Labor & Commerce.

SB 5795 by Senators Padden and Dhingra

AN ACT Relating to exempting the state of Washington from daylight saving time by implementing year-round Pacific standard time; amending RCW 1.20.050; adding a new section to chapter 1.20 RCW; creating a new section; repealing RCW 1.20.051, 1.20.052, 1.20.055, and 35A.21.190; repealing 2019 c 297 §§ 4 and 5 (uncodified); and providing an effective date.

Referred to Committee on State Government & Elections.

SB 5796 by Senators Pedersen and Rivers; by request of Uniform Law Commission

AN ACT Relating to common interest communities; amending RCW 64.90.085, 64.90.105, 64.90.300, 64.90.310, 64.90.450, 64.90.480, 64.90.520, 64.90.610, 64.90.010, 64.90.065, 64.90.100, 64.90.225, 64.90.240, 64.90.260, 64.90.285, 64.90.290, 64.90.405, 64.90.410, 64.90.420, 64.90.425, 64.90.445, 64.90.455, 64.90.485, 64.90.485, 64.90.495, 64.90.510, 64.90.515, 64.90.570,

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Referred to Committee on Law & Justice.

SB 5797 by Senators Kuderer and Stanford

AN ACT Relating to fines levied upon authorized insurers in addition to or in lieu of suspension, revocation, or refusal to renew certificate of authority; and amending RCW 48.05.185.

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

SB 5798 by Senators Kuderer and Shewmake

AN ACT Relating to extending the required notice of cancellation or nonrenewal of certain types of insurance

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policies to 60 days; and amending RCW 48.18.290, 48.18.2901, 48.18.291, and 48.18.292.

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

SB 5799 by Senators Wilson, C. and Trudeau

AN ACT Relating to the sale of halal food products; amending RCW 15.130.140; adding a new chapter to Title 69 RCW; and prescribing penalties.

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

SB 5800 by Senators Wilson, C. and Torres; by request of Department of Licensing

AN ACT Relating to improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards; amending RCW 46.20.075, 46.20.100, and 46.20.117; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SB 5801 by Senators Dozier and Pedersen; by request of Uniform Law Commission

AN ACT Relating to the uniform special deposits act; adding a new chapter to Title 32 RCW; and providing an effective date.

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

SB 5802 by Senator Muzzall; by request of Department of Social and Health Services

AN ACT Relating to providing flexibility in calculation of nursing rates for the purposes of implementing new centers for medicare and medicaid services data; amending RCW 74.46.485, 74.46.496, and 74.46.501; and reenacting and amending RCW 74.46.020.

Referred to Committee on Health & Long-Term Care.

SB 5803 by Senator Conway; by request of Military Department

AN ACT Relating to the recruitment and retention of Washington National Guard members; and adding new sections to chapter 38.24 RCW.

Referred to Committee on State Government & Elections.

SB 5804 by Senators Kuderer and Wellman

AN ACT Relating to opioid overdose reversal medication in high schools; and amending RCW 28A.210.390 and 28A.210.395.

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

SB 5805 by Senators Frame and Boehnke

AN ACT Relating to developing a schedule for court appointment of attorneys for children and youth in dependency and termination proceedings; and amending RCW 13.34.212.

Referred to Committee on Human Services.

SB 5806 by Senators Kuderer and Hunt

AN ACT Relating to the confidentiality of insurance company data; and amending RCW 48.02.065.

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

SB 5807 by Senators Frame, Gildon, Trudeau, Rivers, Cleveland and King

AN ACT Relating to housing authorities; and amending RCW 35.82.300.

Referred to Committee on Housing.

SB 5808 by Senators Van De Wege, Lovick, Conway, Trudeau, Nguyen, Kuderer, Randall, Dhingra, Hunt, Valdez, Keiser, Stanford, Lias, Hasegawa and Shewmake

AN ACT Relating to granting interest arbitration to certain public safety telecommunicators; and amending RCW 41.56.030.

Referred to Committee on Labor & Commerce.

SB 5809 by Senators Mullet, Lovick, Cleveland, Salomon, Shewmake, Wilson, L., Braun, Wilson, C., and Lovelett

AN ACT Relating to enrichment funding for charter public schools; amending RCW 28A.710.280; and creating a new section.

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

SB 5810 by Senators Saldaña, Valdez, Lovick, Dhingra, Holy, and Robinson

AN ACT Relating to clarifying the collective bargaining unit for interpreters providing language access services to certain state agencies; and amending RCW 41.56.510.

Referred to Committee on Labor & Commerce.

SB 5811 by Senators Kauffman and Wilson, C.; by request of Department of Social and Health Services

AN ACT Relating to expanding the definition of family member for individual providers; amending RCW 18.88B.041, 74.39A.076, and 74.39A.341; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 5812 by Senators Wilson, J. and Nguyen

AN ACT Relating to responding to electric vehicle fires; creating a new section; and making an appropriation.

Referred to Committee on Transportation.

SB 5813 by Senator Dozier

AN ACT Relating to mandating instruction on agricultural literacy for students in grades seven through 12; adding a new section to chapter 28A.230 RCW; and creating a new section.

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

SB 5814 by Senator Muzzall

AN ACT Relating to coverage of prescription drugs for advanced metastatic cancer; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5815 by Senator Muzzall

AN ACT Relating to the physician assistant compact; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5816 by Senators Van De Wege and Trudeau

AN ACT Relating to alcohol server permits; and amending RCW 66.20.310.

Referred to Committee on Labor & Commerce.

SB 5817 by Senator Van De Wege

AN ACT Relating to requiring state agencies to share information to encourage rural economic development; adding a new section to chapter 43.330 RCW; and adding a new section to chapter 49.04 RCW.

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

SB 5818 by Senators Van De Wege, Mullet, Nguyen, Salomon, Liiias, Randall, Hasegawa, Kauffman, Dhingra, and Stanford

AN ACT Relating to authorizing an exemption to the seashore conservation area for a qualified infrastructure project; amending RCW 79A.05.630; and declaring an emergency.

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

SB 5819 by Senators Valdez and Boehnke; by request of State Treasurer

AN ACT Relating to making financial education instruction a graduation prerequisite and a required component of public education; amending RCW 28A.300.468; adding a new section to chapter 28A.230 RCW; and creating a new section.

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

SB 5820 by Senators Wilson, J. and Padden

AN ACT Relating to establishing protections for citizens participating in the initiative and referendum process; and adding a new section to chapter 29A.84 RCW.

Referred to Committee on State Government & Elections.

SB 5821 by Senators Muzzall and Randall

AN ACT Relating to establishing a uniform standard for creating an established relationship for the purposes of coverage of audio-only telemedicine services by expanding

the time in which a health care provider has seen the patient and removing the expiration of provisions allowing for the use of real-time interactive appointments using both audio and video technology; amending RCW 41.05.700 and 48.43.735; and reenacting and amending RCW 74.09.325.

Referred to Committee on Health & Long-Term Care.

SB 5822 by Senators Muzzall and Cleveland

AN ACT Relating to increasing the licensure fees that support the Washington physicians health program; amending RCW 18.71.310, 18.71A.020, 18.57.015, 18.22.250, 18.32.534, and 18.92.047; creating a new section; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 5823 by Senators Hunt and Wellman; by request of Superintendent of Public Instruction

AN ACT Relating to school district elections; amending RCW 28A.535.020, 28A.535.050, 84.52.056, 39.36.020, 28A.530.020, and 28A.315.285; and providing a contingent effective date.

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

ESB 5824 by Senator Hunt; by request of Secretary of State

AN ACT Relating to the dissolution of libraries and library districts; and amending RCW 27.12.320.

Referred to Committee on State Government & Elections.

SB 5825 by Senators Pedersen, and Padden

AN ACT Relating to guardianship and conservatorship; amending RCW 11.130.090, 11.130.100, 11.130.270, 11.130.280, 11.130.315, 11.130.320, 11.130.345, 11.130.365, 11.130.380, 11.130.425, 11.130.430, 11.130.435, and 11.130.530; adding a new section to chapter 11.130 RCW; and adding a new section to chapter 2.72 RCW.

Referred to Committee on Law & Justice.

SB 5826 by Senator MacEwen

AN ACT Relating to requiring customer charges to be listed on utility billing statements if the charges are a result of implementing the Washington climate commitment act; adding a new section to chapter 80.28 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5827 by Senators Shewmake and Lovelett; by request of Administrative Office of the Courts

AN ACT Relating to adding an additional superior court judge in Whatcom county; and amending RCW 2.08.063.

Referred to Committee on Law & Justice.

SB 5828 by Senators Shewmake and Lovelett; by request of Administrative Office of the Courts

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AN ACT Relating to water rights adjudication commissioners and referees; amending RCW 4.48.020 and 90.03.160; and adding new sections to chapter 90.03 RCW.

Referred to Committee on Law & Justice.

SB 5829 by Senators Frame, Rivers, Shewmake, Trudeau, and Lovelett

AN ACT Relating to screening newborn infants for congenital cytomegalovirus; and amending RCW 70.83.020.

Referred to Committee on Health & Long-Term Care.

SB 5830 by Senator Lovick

AN ACT Relating to establishing the Washington state commission on boys and men; and adding a new chapter to Title 43 RCW.

Referred to Committee on State Government & Elections.

SB 5831 by Senator Hawkins

AN ACT Relating to providing permanent registration for vintage snowmobiles; amending RCW 46.17.350 and 46.10.400; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.68 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5832 by Senator Nguyen

AN ACT Relating to strengthening campaign finance disclosure by prohibiting campaign contributions and expenditures by foreign-influenced corporations; amending RCW 42.17A.005, 42.17A.240, 42.17A.250, and 42.17A.265; adding new sections to chapter 42.17A RCW; creating a new section; repealing RCW 42.17A.417 and 42.17A.418; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 5833 by Senators Torres and Trudeau; by request of Administrative Office of the Courts

AN ACT Relating to requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations; and amending RCW 3.50.010, 3.50.060, 3.50.805, 3.50.810, 35.20.010, and 39.34.180.

Referred to Committee on Law & Justice.

SB 5834 by Senators Short and Lovelett

AN ACT Relating to urban growth areas; and amending RCW 36.70A.110.

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

SB 5835 by Senator Wilson, L.

AN ACT Relating to transparency in rule making; and amending RCW 34.05.270.

Referred to Committee on State Government & Elections.

SB 5836 by Senators Wilson, L.; by request of Administrative Office of the Courts

AN ACT Relating to adding an additional superior court judge in Clark county; and amending RCW 2.08.062.

Referred to Committee on Law & Justice.

SB 5837 by Senators Valdez and Kuderer

AN ACT Relating to codifying the state election database to publish, evaluate, and analyze certain election data; and adding a new section to chapter 29A.04 RCW.

Referred to Committee on State Government & Elections.

SB 5838 by Senator Nguyen; by request of Attorney General

AN ACT Relating to establishing an artificial intelligence task force; creating new sections; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5839 by Senator Nguyen

AN ACT Relating to modifying the working families' tax credit by clarifying the refundable nature of the credit, the application requirements, and the eligibility verification process; reenacting and amending RCW 82.08.0206; and creating a new section.

Referred to Committee on Ways & Means.

SB 5840 by Senators Padden and Pedersen

AN ACT Relating to the acknowledgment of leases; and amending RCW 59.04.010 and 64.04.010.

Referred to Committee on Law & Justice.

SB 5841 by Senator Lovick

AN ACT Relating to requiring individuals convicted of offenses related to driving under the influence to pay financial support to minor children and dependents when the offense results in the death or disability of a parent; and amending RCW 9.94A.753.

Referred to Committee on Law & Justice.

SB 5842 by Senators Kuderer and Frame

AN ACT Relating to restricting the use of social security numbers by insurance companies for the purpose of determining child support debt; and amending RCW 26.23.037.

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

SB 5843 by Senator Nguyen; by request of Secretary of State

AN ACT Relating to security breaches of election systems and election-related systems; amending RCW 29A.12.180, 29A.12.200, 29A.40.100, 29A.40.160, 29A.60.200, 29A.84.550, 29A.84.560, 29A.84.720, and 29A.84.050; adding a new section to chapter 29A.84 RCW; and prescribing penalties.

Referred to Committee on State Government & Elections.

SB 5844 by Senator Muzzall

AN ACT Relating to creating a dilapidated recreational vehicle disposal program; amending RCW 46.68.170 and 46.68.175; adding a new chapter to Title 70A RCW; and making appropriations.

Referred to Committee on Environment, Energy & Technology.

SB 5845 by Senator Muzzall

AN ACT Relating to taxation of military housing; amending RCW 82.29A.130 and 82.29A.130; creating new sections; repealing RCW 84.36.665; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5846 by Senators Salomon and Liias

AN ACT Relating to beaver ecosystem management; adding new sections to chapter 77.12 RCW; and creating a new section.

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

SB 5847 by Senators Liias and King; by request of Department of Licensing

AN ACT Relating to enhancing prorate and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information; amending RCW 46.87.020, 46.87.080, 46.87.350, 82.38.020, 82.38.072, 82.38.120, 82.38.140, 82.38.170, 82.38.220, 82.38.260, 82.38.270, 82.38.380, 82.42.118, and 82.42.210; reenacting and amending RCW 82.42.010; adding new sections to chapter 82.38 RCW; adding new sections to chapter 82.42 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5848 by Senator Lovick; by request of Administrative Office of the Courts

AN ACT Relating to information sharing and limited investigative authority of supreme court bailiffs; amending RCW 10.97.050; and adding a new section to chapter 2.04 RCW.

Referred to Committee on Law & Justice.

SB 5849 by Senators Wellman and Nobles

AN ACT Relating to a computer science competency graduation requirement; amending RCW 28A.655.070; adding a new section to chapter 28A.230 RCW; creating a new section; and providing an expiration date.

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

SB 5850 by Senators Braun and Wellman

AN ACT Relating to supporting students who are chronically absent and at risk for not graduating high school; adding a new section to chapter 28A.310 RCW; creating new sections; and providing expiration dates.

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

SB 5851 by Senators Braun and Salomon

AN ACT Relating to Holocaust and genocide education in public schools; amending RCW 28A.300.115; adding new sections to chapter 28A.230 RCW; providing an effective date; and providing an expiration date.

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

SB 5852 by Senators Braun and Mullet

AN ACT Relating to special education safety net awards; amending RCW 28A.150.392; and creating a new section.

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

SB 5853 by Senators Dhingra and Wagoner

AN ACT Relating to extending the crisis relief center model to provide behavioral health crisis services for minors; amending RCW 71.34.020, 71.34.020, and 71.34.351; reenacting and amending RCW 71.24.025; and providing a contingent effective date.

Referred to Committee on Health & Long-Term Care.

SB 5854 by Senators Salomon and Liias

AN ACT Relating to providing for recreational licensing of smelt, crawfish, and carp; amending RCW 77.32.010; and creating a new section.

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

SB 5855 by Senator MacEwen

AN ACT Relating to protecting consumers by requiring summaries for certain agreements and policies presented in an electronic format; and adding a new chapter to Title 19 RCW.

Referred to Committee on Environment, Energy & Technology.

ESB 5856 by Senator Hunt

AN ACT Relating to voter registration challenges; and amending RCW 29A.08.810, 29A.08.820, 29A.08.835, and 29A.08.840.

Referred to Committee on State Government & Elections.

SB 5857 by Senator Hunt

AN ACT Relating to reorganizing statutes on campaign disclosure and contribution; amending RCW 42.17A.001, 42.17A.010, 42.17A.020, 42.17A.055, 42.17A.060, 42.17A.065, 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.135, 42.17A.140, 42.17A.145, 42.17A.150, 42.17A.160, 42.17A.200, 42.17A.205, 42.17A.207, 42.17A.210, 42.17A.215, 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.270, 42.17A.300, 42.17A.305, 42.17A.310, 42.17A.315, 42.17A.320, 42.17A.330, 42.17A.335, 42.17A.340, 42.17A.345, 42.17A.350, 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415, 42.17A.417, 42.17A.418, 42.17A.420, 42.17A.425,

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42.17A.430, 42.17A.435, 42.17A.440, 42.17A.442,
 42.17A.445, 42.17A.450, 42.17A.455, 42.17A.460,
 42.17A.465, 42.17A.470, 42.17A.475, 42.17A.480,
 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500,
 42.17A.550, 42.17A.555, 42.17A.565, 42.17A.570,
 42.17A.575, 42.17A.603, 42.17A.610, 42.17A.615,
 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635,
 42.17A.640, 42.17A.645, 42.17A.650, 42.17A.655,
 42.17A.700, 42.17A.705, 42.17A.710, 42.17A.715,
 42.17A.750, 42.17A.755, 42.17A.760, 42.17A.765,
 42.17A.770, 42.17A.775, 42.17A.780, 42.17A.785,
 42.62.040, 15.89.070, 19.09.020, 28A.600.027, 28B.15.610,
 28B.133.030, 29A.32.031, 29A.84.250, 35.02.130,
 35.21.759, 36.70A.200, 42.36.040, 42.52.150, 42.52.180,
 42.52.185, 42.52.380, 42.52.560, 42.52.806, 43.03.305,
 43.17.320, 43.52A.030, 43.59.156, 43.60A.175, 43.166.030,
 43.167.020, 43.384.060, 44.05.020, 44.05.080, 53.57.060,
 68.52.220, 70A.02.120, 79A.25.830, and 82.04.759;
 reenacting and amending RCW 42.17A.130, 42.17A.560,
 42.17A.600, 42.17A.605, 15.65.280, 15.66.140, 15.115.140,
 and 42.52.010; adding a new title to the Revised Code of
 Washington to be codified as Title 29B RCW; creating new
 sections; recodifying RCW 42.17A.001, 42.17A.010,
 42.17A.020, 42.17A.055, 42.17A.060, 42.17A.065,
 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120,
 42.17A.125, 42.17A.130, 42.17A.135, 42.17A.140,
 42.17A.145, 42.17A.150, 42.17A.160, 42.17A.200,
 42.17A.205, 42.17A.207, 42.17A.210, 42.17A.215,
 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235,
 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260,
 42.17A.265, 42.17A.270, 42.17A.300, 42.17A.305,
 42.17A.310, 42.17A.315, 42.17A.320, 42.17A.330,
 42.17A.335, 42.17A.340, 42.17A.345, 42.17A.350,
 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415,
 42.17A.417, 42.17A.418, 42.17A.420, 42.17A.425,
 42.17A.430, 42.17A.435, 42.17A.440, 42.17A.442,
 42.17A.445, 42.17A.450, 42.17A.455, 42.17A.460,
 42.17A.465, 42.17A.470, 42.17A.475, 42.17A.480,
 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500,
 42.17A.550, 42.17A.555, 42.17A.560, 42.17A.565,
 42.17A.570, 42.17A.575, 42.17A.600, 42.17A.603,
 42.17A.605, 42.17A.610, 42.17A.615, 42.17A.620,
 42.17A.625, 42.17A.630, 42.17A.635, 42.17A.640,
 42.17A.645, 42.17A.650, 42.17A.655, 42.17A.700,
 42.17A.705, 42.17A.710, 42.17A.715, 42.17A.750,
 42.17A.755, 42.17A.760, 42.17A.765, 42.17A.770,
 42.17A.775, 42.17A.780, 42.17A.785, 42.62.020,
 42.62.030, and 42.62.040; repealing RCW 42.17A.005 and
 42.62.010; providing an effective date; and providing an
 expiration date.

Referred to Committee on State Government & Elections.

SB 5858 by Senator Fortunato

AN ACT Relating to the just and equitable distribution of real property and liabilities in the dissolution of marriage or domestic partnerships; and amending RCW 26.09.080.

Referred to Committee on Law & Justice.

SB 5859 by Senator Fortunato

AN ACT Relating to studying the use of separate judges to determine parenting plans and property distribution in marriage dissolution cases; and creating a new section.

Referred to Committee on Law & Justice.

SB 5860 by Senator Fortunato

AN ACT Relating to spring blade knives; amending RCW 9.41.250, 9.41.280, 9.41.282, 10.31.100, and 43.216.760; reenacting and amending RCW 9.41.300; repealing RCW 9.41.251; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5861 by Senator Fortunato

AN ACT Relating to procedures and evidence in civil actions involving domestic relations and protection orders; amending RCW 7.21.030, 9.73.030, 9.73.050, 11.76.110, 26.09.170, 26.12.177, 26.18.050, and 26.23.050; adding a new section to chapter 26.12 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5862 by Senator Fortunato

AN ACT Relating to hunting and fishing licenses for nonresident college students; and amending RCW 77.32.480.

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

SB 5863 by Senator Fortunato

AN ACT Relating to prohibiting credit reporting on delinquent accounts that are designated to a person in a divorce; and amending RCW 19.182.040.

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

SB 5864 by Senator Fortunato

AN ACT Relating to establishing a point of contact for any person diagnosed with a rare disease; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5865 by Senator Fortunato

AN ACT Relating to the custody of a child when a parent has a history of domestic violence; and amending RCW 26.16.125.

Referred to Committee on Law & Justice.

SB 5866 by Senator Fortunato

AN ACT Relating to protecting the continuity of teletherapy services; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5867 by Senator Fortunato

AN ACT Relating to banquet provisions for charitable or nonprofit organizations; amending RCW 66.20.010; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Labor & Commerce.

SB 5868 by Senator Fortunato

AN ACT Relating to providing information on reporting domestic violence and other unlawful conduct in family court proceedings; amending RCW 2.56.180; and adding a new section to chapter 26.12 RCW.

Referred to Committee on Law & Justice.

SB 5869 by Senators Short and Lovelett

AN ACT Relating to rural fire district stations; amending RCW 58.17.040; and creating a new section.

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

SB 5870 by Senators Wilson, C. and Billig

AN ACT Relating to expanding and streamlining eligibility for early learning programs including the working connections child care program, the early childhood education and assistance program, and the birth to three early childhood education and assistance program; amending RCW 43.216.1364, 43.216.505, 43.216.578, 43.216.578, and 43.216.1368; reenacting and amending RCW 43.216.505; adding a new section to chapter 43.216 RCW; creating a new section; providing an effective date; and providing an expiration date.

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

SB 5871 by Senator Lovick; by request of Attorney General

AN ACT Relating to the definition of veteran and restoring honor to veterans; amending RCW 41.04.005, 41.04.007, 2.48.070, 2.48.090, 9.46.070, 28A.230.120, 28B.15.012, 28B.15.621, 28B.102.020, 41.04.010, 41.06.133, 41.08.040, 41.12.040, 43.24.130, 43.60A.190, 43.70.270, 46.18.270, 46.18.280, 46.18.295, 46.20.027, 46.20.161, 72.36.030, 73.08.005, 73.16.120, 77.32.480, and 84.39.020; adding a new section to chapter 73.04 RCW; adding a new section to chapter 43.60A RCW; creating a new section; and repealing RCW 2.48.100 and 73.04.042.

Referred to Committee on State Government & Elections.

SB 5872 by Senator Lovick

AN ACT Relating to vehicle and operator requirements for autonomous vehicles; amending RCW 46.92.010; and adding a new section to chapter 46.92 RCW.

Referred to Committee on Transportation.

SB 5873 by Senators Wellman and Wilson, C.

AN ACT Relating to providing adequate and predictable student transportation; amending 28A.160.150, 28A.160.160, 28A.160.170, 28A.160.190, 28A.160.180, 28A.160.140, and 28A.225.350; adding new sections to chapter 28A.160 RCW; repealing RCW 28A.160.192 and 28A.160.193; and providing an expiration date.

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

SB 5874 by Senator Fortunato

AN ACT Relating to the removal of unauthorized persons; and amending RCW 9A.52.105 and 4.24.355.

Referred to Committee on Law & Justice.

SB 5875 by Senator Fortunato

AN ACT Relating to balancing energy efficiency with consideration of other factors such as housing affordability, development costs, and feasibility in the state energy code for residential structures; and amending RCW 19.27A.045.

Referred to Committee on Environment, Energy & Technology.

SB 5876 by Senator Fortunato

AN ACT Relating to establishing a streamlined grant application process for ecosystem investments; and adding a new section to chapter 79A.25 RCW.

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

SB 5877 by Senator Fortunato

AN ACT Relating to providing information about the costs of the climate commitment act to electricity and natural gas customers; amending RCW 19.29A.020; and adding a new chapter to Title 19 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5878 by Senator Fortunato

AN ACT Relating to ensuring litter tax funds are used for litter pick up; amending RCW 70A.200.140; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5879 by Senator Fortunato

AN ACT Relating to establishing standards for civil proceedings and unprofessional conduct involving child abuse and domestic violence; amending RCW 13.34.102, 26.09.191, and 26.09.197; reenacting and amending RCW 18.130.180 and 26.09.004; adding a new section to chapter 2.56 RCW; and adding new sections to chapter 26.09 RCW.

Referred to Committee on Law & Justice.

SB 5880 by Senator Muzzall

AN ACT Relating to establishing a primary certification process for magnetic resonance imaging technologists; amending RCW 18.84.080, 18.84.030, and 18.84.130; and reenacting and amending RCW 18.84.020.

Referred to Committee on Health & Long-Term Care.

SB 5881 by Senator MacEwen; by request of Select Committee on Pension Policy

AN ACT Relating to membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government; and amending RCW 41.40.023.

Referred to Committee on Ways & Means.

SB 5882 by Senators Stanford, Wellman, Hunt, Pedersen and Wilson, C.

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AN ACT Relating to increasing prototypical school staffing to better meet student needs; amending RCW 28A.150.260, 28A.150.260, and 28A.400.007; creating a new section; providing effective dates; and providing an expiration date.

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

SB 5883 by Senators Trudeau and Braun

AN ACT Relating to the burden of proof for special education due process hearings; and adding a new section to chapter 28A.155 RCW.

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

SB 5884 by Senators Trudeau and Pedersen

AN ACT Relating to court-ordered restitution in environmental criminal cases; adding a new section to chapter 90.48 RCW; adding a new section to chapter 70A.15 RCW; adding a new section to chapter 70A.300 RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5885 by Senator Torres; by request of Office of Financial Management

AN ACT Relating to procedures for certificates of annexation submitted to the office of financial management; and amending RCW 35.13.260 and 35A.14.700.

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

SB 5886 by Senators Braun and Keiser; by request of Department of Labor & Industries

AN ACT Relating to adding purposes for the use of existing firefighter safety funding; and amending RCW 51.04.175.

Referred to Committee on Labor & Commerce.

SB 5887 by Senators Stanford and Dozier

AN ACT Relating to modifying the public accountancy act; amending RCW 18.04.015, 18.04.025, 18.04.105, 18.04.180, 18.04.183, 18.04.195, 18.04.205, 18.04.215, 18.04.295, 18.04.345, 18.04.350, 18.04.380, 18.04.390, 18.04.405, and 18.04.430; and decodifying RCW 18.04.910 and 18.04.911.

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

SB 5888 by Senators Wilson, C. and Boehnke

AN ACT Relating to statewide health care coordination and communication regarding individuals housed in confinement settings; and adding a new chapter to Title 70 RCW.

Referred to Committee on Human Services.

SB 5889 by Senator Kauffman; by request of Department of Social and Health Services

AN ACT Relating to enhancing poverty reduction, equity, and access efforts by establishing the customer voice council

and strengthening community partnerships; and amending RCW 74.08A.280.

Referred to Committee on Human Services.

SB 5890 by Senators Valdez and Hunt

AN ACT Relating to reducing ballot rejection rates through updates to ballot curing, canvassing, reporting, and outreach processes; amending RCW 29A.60.165, 29A.40.091, 29A.60.140, 29A.08.210, and 29A.08.210; reenacting and amending RCW 29A.40.110; adding a new section to chapter 29A.08 RCW; adding new sections to chapter 29A.60 RCW; providing an effective date; and providing expiration dates.

Referred to Committee on State Government & Elections.

SB 5891 by Senators Boehnke and Lovick

AN ACT Relating to protecting the safety and security of students and maintaining order within public school buses by designating trespassing on a public school bus as a felony offense; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9A.52 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5892 by Senator Wagoner

AN ACT Relating to diseased elk; creating new sections; and providing an expiration date.

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

SB 5893 by Senators Wilson, C. and Kuderer

AN ACT Relating to providing gate money to individuals releasing from custody prior to the expiration of their sentence; and amending RCW 72.02.100 and 72.66.070.

Referred to Committee on Human Services.

SB 5894 by Senators Nobles and Keiser

AN ACT Relating to including protected classes in the Washington equal pay and opportunities act; and amending RCW 49.58.005, 49.58.010, 49.58.020, and 49.58.030.

Referred to Committee on Labor & Commerce.

SB 5895 by Senators Nobles and Stanford

AN ACT Relating to collective bargaining for certain employees who are enrolled in academic programs at public institutions of higher education; adding a new section to chapter 41.56 RCW; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5896 by Senators Nobles and Hansen

AN ACT Relating to extending the terms of eligibility for the Washington college grant program, Washington college bound scholarship program, passport to college promise program, and passport to apprenticeship opportunities program; and amending RCW 28B.92.200, 28B.118.010, 28B.118.005, and 28B.117.030.

Referred to Committee on Higher Education & Workforce Development.

SB 5897 by Senators Mullet, and Wilson, L.; by request of Department of Revenue

AN ACT Relating to nontax statutes administered by the department of revenue modifying provisions of the business licensing service program concerning fee change notice requirements, the administration of the business license account balance, and the handling fee exemption for the local government nonresident business license endorsement; and amending RCW 19.02.075 and 35.90.070.

Referred to Committee on Ways & Means.

SB 5898 by Senator Van De Wege; by request of Department of Social and Health Services

AN ACT Relating to clarifying employment standards for long-term care individual providers; amending RCW 49.46.800, 74.39A.009, and 74.39A.500; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5899 by Senators Pedersen, and Gildon

AN ACT Relating to adding to the list of provisions prohibited from rental agreements; and amending RCW 59.18.230.

Referred to Committee on Housing.

SB 5900 by Senators Frame and Keiser

AN ACT Relating to construction crane safety; amending RCW 49.17.400, 49.17.420, and 49.17.440; adding new sections to chapter 49.17 RCW; adding a new section to chapter 36.70B RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5901 by Senators Salomon and Gildon

AN ACT Relating to legalizing inexpensive housing choices through co-living housing; adding a new section to chapter 36.70A RCW; and creating a new section.

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

SB 5902 by Senator Van De Wege; by request of Parks and Recreation Commission

AN ACT Relating to reinvesting account revenue for the purpose of supporting the state park system; amending RCW 79A.05.170; reenacting and amending RCW 43.84.092, 43.84.092, and 43.84.092; providing effective dates; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 5903 by Senators Wilson, C. and Nobles; by request of Professional Educator Standards Board

AN ACT Relating to representation in the educator preparation act; and amending RCW 28A.410.200.

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

SB 5904 by Senators Nobles and Hansen; by request of Student Achievement Council

AN ACT Relating to extending the terms of eligibility for the Washington college grant program, Washington college bound scholarship program, passport to college promise program, and passport to apprenticeship opportunities program; and amending RCW 28B.92.200, 28B.118.010, 28B.118.005, and 28B.117.030.

Referred to Committee on Higher Education & Workforce Development.

SB 5905 by Senators Lovick and Trudeau

AN ACT Relating to certification, background checks, and training requirements for sheriffs, police chiefs, marshals, reserve officers, and volunteers; amending RCW 43.101.095, 43.101.105, 35.21.333, 35.21.334, 35.23.021, 35.27.070, 35.61.370, 35.88.020, 35A.11.110, 35A.12.020, 36.28.010, 36.28.025, 36.28.090, 14.08.120, 53.08.280, and 81.60.010; reenacting and amending RCW 43.101.200 and 10.93.020; adding a new section to chapter 36.32 RCW; and creating a new section.

Referred to Committee on Law & Justice.

ESB 5906 by Senator Wilson, L.

AN ACT Relating to implementing a statewide drug overdose prevention and education campaign; adding a new section to chapter 43.70 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5907 by Senators Salomon and Liias

AN ACT Relating to providing for recreational licensing of eulachon, crawfish, and carp; amending RCW 77.32.010; and creating a new section.

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

SB 5908 by Senators Wilson, C. and Frame

AN ACT Relating to the provision of extended foster care services to youth ages 18 to 21; amending RCW 13.34.267, 74.13.031, and 74.13.336; reenacting and amending RCW 13.34.030 and 74.13.020; and creating a new section.

Referred to Committee on Human Services.

SB 5909 by Senators Wilson, J. and Lovick

AN ACT Relating to electric vehicle impoundment and storage; amending RCW 82.44.200; adding a new chapter to Title 46 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Transportation.

SB 5910 by Senators Nobles and Holy; by request of Department of Natural Resources

AN ACT Relating to creating the state department of natural resources' Smokey Bear special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.425; adding a new section to chapter 46.04 RCW; and providing an effective date.

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Referred to Committee on Transportation.

SB 5911 by Senator Wilson, L.

AN ACT Relating to enhancing cancer research funding by dedicating a portion of state sales tax collections in October to the Andy Hill cancer research endowment fund; amending RCW 82.08.020 and 43.348.080; and creating a new section.

Referred to Committee on Ways & Means.

SB 5912 by Senator Wilson, C.

AN ACT Relating to reentry services and supports; amending RCW 72.09.270; and creating a new section.

Referred to Committee on Human Services.

SB 5913 by Senators Valdez and MacEwen

AN ACT Relating to communication between employees of state institutions of higher education and student athletes regarding name, image, and likeness use; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government & Elections.

SB 5914 by Senator Torres; by request of Office of Public Defense

AN ACT Relating to activities in which the office of public defense may engage without violating the prohibition on providing direct representation of clients; reenacting and amending RCW 2.70.020; and adding a new section to chapter 2.70 RCW.

Referred to Committee on Law & Justice.

SB 5915 by Senator Torres

AN ACT Relating to extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington; amending RCW 82.21.040; and amending 2015 3rd sp.s. c 6 s 1901 (uncodified).

Referred to Committee on Ways & Means.

SB 5916 by Senator Torres

AN ACT Relating to reinstating the indigent defense task force; adding a new section to chapter 10.101 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5917 by Senators Billig, Dhingra, Pedersen, and Trudeau

AN ACT Relating to criminal penalties for bias-motivated defacement of private or public property; and amending RCW 9A.36.080.

Referred to Committee on Law & Justice.

SB 5918 by Senators Van De Wege, and MacEwen

AN ACT Relating to the allocation of allowances under chapter 70A.65 RCW, the Washington climate commitment act; and amending RCW 70A.65.120.

Referred to Committee on Environment, Energy & Technology.

SB 5919 by Senator King

AN ACT Relating to the sale of biogenic carbon dioxide and other coproducts of biogas processing; and amending RCW 54.04.190.

Referred to Committee on Environment, Energy & Technology.

SB 5920 by Senator Padden

AN ACT Relating to lifting certificate of need requirements for the construction of psychiatric hospitals and the addition of psychiatric beds; amending RCW 70.38.111; and repealing RCW 70.38.260 and 70.38.270.

Referred to Committee on Health & Long-Term Care.

SB 5921 by Senators Stanford and Van De Wege; by request of Conservation Commission

AN ACT Relating to tribal representation on the state conservation commission; and amending RCW 89.08.030.

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

SB 5922 by Senator Stanford; by request of Department of Fish and Wildlife

AN ACT Relating to modifying the department of fish and wildlife's habitat recovery pilot program; and amending RCW 77.55.480.

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

SB 5923 by Senators Wellman and Dhingra

AN ACT Relating to fentanyl and other substance use prevention education; and adding new sections to chapter 28A.170 RCW.

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

SB 5924 by Senators Kuderer and Wellman

AN ACT Relating to access to personnel records; amending RCW 49.12.240 and 49.12.250; adding a new section to chapter 49.12 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5925 by Senator Torres

AN ACT Relating to fire protection district commissioner per diem compensation; and reenacting and amending RCW 52.14.010.

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

SB 5926 by Senator Muzzall

AN ACT Relating to providing continuous coverage enrollment eligibility in medicaid for children under age six; and amending RCW 74.09.510 and 74.09.470.

Referred to Committee on Health & Long-Term Care.

SB 5927 by Senators Padden and Lovick
AN ACT Relating to authorization of tear gas deployment by sheriffs; and amending RCW 10.116.030.

Referred to Committee on Law & Justice.

SB 5928 by Senator Padden
AN ACT Relating to studying coercive control; and amending RCW 7.105.903.

Referred to Committee on Law & Justice.

SB 5929 by Senators Padden and Wilson, L.
AN ACT Relating to fentanyl; amending RCW 9A.42.100; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5930 by Senators Stanford and Boehnke
AN ACT Relating to making modifications to small loans under payday lending laws; amending RCW 31.45.010, 31.45.073, and 31.45.105; and adding a new section to chapter 31.45 RCW.

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

SB 5931 by Senators Salomon and Kauffman
AN ACT Relating to expediting the safer products for Washington process regarding motorized vehicle tires containing 6PPD; amending RCW 70A.350.010, 70A.350.030, and 70A.350.050; adding a new section to chapter 70A.350 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5932 by Senator Stanford
AN ACT Relating to reducing the number of days that a worker's temporary total disability must continue to receive industrial insurance compensation for the day of an injury and the three-day period following the injury; amending RCW 51.32.090 and 51.32.090; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5933 by Senators Frame and Warnick; by request of Department of Children, Youth and Families
AN ACT Relating to funding for the early support for infants and toddlers program; and amending RCW 43.216.580.

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

SB 5934 by Senators Padden and Van De Wege
AN ACT Relating to pollinator habitat; and adding a new section to chapter 36.70B RCW.

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

SB 5935 by Senators Stanford and Keiser

AN ACT Relating to noncompetition covenants; and amending RCW 49.62.005, 49.62.010, 49.62.020, 49.62.050, 49.62.080, and 49.62.090.

Referred to Committee on Labor & Commerce.

SB 5936 by Senator Conway
AN ACT Relating to convening a work group to design a palliative care benefit for fully insured health plans; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5937 by Senator Dhingra
AN ACT Relating to supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system; amending RCW 7.68.020, 7.68.060, 7.68.066, 7.68.070, 7.68.080, 7.68.094, 7.68.170, 7.68.803, 7.69.010, 7.69.030, 9A.44.020, 9A.44.040, 70.02.220, and 70.24.110; reenacting and amending RCW 9A.04.080; adding a new section to chapter 7.68 RCW; adding new sections to chapter 9A.44 RCW; adding a new section to chapter 36.27 RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 70.125 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5938 by Senators Wilson, C. and Lovelett
AN ACT Relating to modifying the community parenting alternative for eligible participants in the residential parenting program at the department of corrections; and amending RCW 9.94A.6551.

Referred to Committee on Human Services.

SB 5939 by Senators Wagoner and Van De Wege
AN ACT Relating to protecting livestock from wolf predation; amending RCW 77.15.120; creating a new section; and providing an expiration date.

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

SB 5940 by Senator Van De Wege
AN ACT Relating to creating a medical assistant-EMT certification; amending RCW 18.360.010, 18.360.020, 18.360.030, 18.360.040, and 18.360.050; and reenacting and amending RCW 18.120.020 and 18.130.040.

Referred to Committee on Health & Long-Term Care.

SB 5941 by Senator Wilson, C.
AN ACT Relating to clarifying requirements for subsidized child care; amending RCW 43.216.1368, 43.216.1364, and 43.216.145; reenacting and amending RCW 43.216.136; adding new sections to chapter 43.216 RCW; recodifying RCW 43.216.136, 43.216.1364, 43.216.1368, 43.216.139, 43.216.141, 43.216.143, 43.216.145, 43.216.730, and 43.216.749; and repealing RCW 43.216.725 and 43.216.137.

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

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SB 5942 by Senator Muzzall

AN ACT Relating to implementing audit recommendations on lead testing for children enrolled in medicaid; adding a new section to chapter 43.70 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5943 by Senator Gildon

AN ACT Relating to developing a resource data tool to connect Washington residents to services and resources; adding new sections to chapter 43.211 RCW; and providing an expiration date.

Referred to Committee on Human Services.

SB 5944 by Senator Gildon

AN ACT Relating to increasing transparency and accountability regarding prosecutorial filing policies and practices; adding a new chapter to Title 10 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5945 by Senators Conway and King

AN ACT Relating to manufacturer and new dealer franchise agreements; and amending RCW 46.70.011, 46.70.180, 46.96.010, 46.96.105, 46.96.140, 46.96.185, and 46.96.230.

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

SB 5946 by Senators Van De Wege and Braun; by request of Department of Natural Resources

AN ACT Relating to establishing a fallen firefighter memorial; adding new sections to chapter 43.34 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5947 by Senators Liias and King; by request of Office of Financial Management

AN ACT Relating to transportation funding and appropriations; amending 2023 c 472 ss 101, 103, 104, 105, 106, 108, 109, 110, 114, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 601, 606, and 609 (uncodified); adding new sections to 2023 c 472 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 5948 by Senators Robinson and Dhingra

AN ACT Relating to addressing affordability through health care provider contracting; and adding a new chapter to Title 19 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5949 by Senators Mullet, and Schoesler; by request of Office of Financial Management

AN ACT Relating to the capital budget; amending RCW 70A.65.240 and 70A.65.305; amending 2023 c 474 ss 1013, 1022, 1025, 1032, 6076, 1038, 1045, 1046, 1047, 1054, 1055, 1061, 1065, 1070, 2026, 6148, 2031, 2035, 2044, 2046, 3046, 6352, 3080, 3083, 3130, 5001, 5002, 5003, 5005, 5006, 5008, 5013, 5014, 5015, 5031, 5032, 5033, 5056, 5072, 6236, 5082, 5085, 5086, 5087, 5089, 6002, 6029, 6043, 6061, 6068, 6097, 6104, 6105, 6135, 6164, 6165, 6179, 6228, 6336, 6337, 6366, 6376, 6392, 6460, 6496, 8001, and 8002 (uncodified); reenacting and amending RCW 43.155.050; adding new sections to 2023 c 474 (uncodified); creating new sections; repealing 2023 c 474 ss 6343, 6489, and 6490 (uncodified); and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5950 by Senator Robinson

AN ACT Relating to fiscal matters; amending RCW 43.101.220, 69.50.540, and 70A.65.300; amending 2023 c 475 ss 101, 102, 103, 104, 105, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 515, 516, 517, 518, 519, 520, 521, 522, 523, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 701, 702, 703, 704, 705, 715, 726, 727, 734, 735, 738, 740, 801, 802, 803, 805, 908, 909, and 911 (uncodified); reenacting and amending RCW 70A.65.250; adding new sections to 2023 c 475 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5951 by Senator Schoesler

AN ACT Relating to the purchase of power at state expense for electric vehicle charging stations; and amending RCW 43.01.250.

Referred to Committee on State Government & Elections.

SB 5952 by Senators Schoesler and Keiser; by request of Department of Labor & Industries

AN ACT Relating to aligning deputy inspector credentials with national standards; and amending RCW 70.79.120.

Referred to Committee on Labor & Commerce.

SB 5953 by Senator Wilson, C.

AN ACT Relating to financial aid grants for incarcerated students; and amending RCW 72.09.460 and 72.09.465.

Referred to Committee on Human Services.

SB 5954 by Senator Lovick

AN ACT Relating to the Washington state aerial imagery program; adding new sections to chapter 43.105 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5955 by Senator Keiser

AN ACT Relating to mitigating harm and improving equity in large port districts; amending RCW 53.36.020, 53.54.010, 53.54.020, 53.54.040, and 70A.65.260; adding a new section to chapter 53.54 RCW; adding a new section to chapter 53.36 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 53.20 RCW; and creating a new section.

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

SB 5956 by Senators Wellman and Lovelett; by request of Superintendent of Public Instruction

AN ACT Relating to enrichment levies; amending RCW 84.52.0531; and creating a new section.

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

SB 5957 by Senator Boehnke

AN ACT Relating to requiring the office of privacy and data protection to develop guidelines for the use of artificial intelligence; and amending RCW 43.105.020 and 43.105.369.

Referred to Committee on Environment, Energy & Technology.

SB 5958 by Senator Boehnke

AN ACT Relating to establishing the Washington career skills grant program; adding new sections to chapter 43.131 RCW; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5959 by Senators Lias and Lovick; by request of Washington Traffic Safety Commission

AN ACT Relating to automated traffic safety cameras; amending RCW 46.16A.120, 46.63.030, 46.63.075, and 46.68.480; adding new sections to chapter 46.63 RCW; and repealing RCW 46.63.170.

Referred to Committee on Transportation.

SB 5960 by Senators Frame and Dhingra

AN ACT Relating to prescription labels for medications used for abortion; and amending RCW 18.64.246 and 69.41.050.

Referred to Committee on Health & Long-Term Care.

SB 5961 by Senators Trudeau and Nobles

AN ACT Relating to improving housing stability for tenants subject to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act by limiting rent and fee increases, requiring notice of rent and fee increases, limiting fees and deposits, establishing a landlord resource center and associated services, authorizing tenant lease termination, creating parity between lease types, and providing for attorney general enforcement; amending RCW 59.18.140, 59.18.200, 59.18.650, 59.18.270, 59.18.170, 59.20.090, 59.20.170, 59.20.060, and 59.20.030; adding new

sections to chapter 59.18 RCW; adding new sections to chapter 59.20 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Housing.

SB 5962 by Senator Mullet

AN ACT Relating to fabricated intimate or sexually explicit images and depictions; amending RCW 9.68A.011, 9.68A.055, 9.68A.080, 9.68A.107, 9.68A.110, 9.68A.120, 9.68A.170, 9.68A.180, 9.68A.190, 9A.86.010, 9A.86.020, 7.110.010, 7.110.020, 7.110.030, 7.110.050, and 7.110.060; reenacting and amending RCW 9.94A.515; adding new sections to chapter 9.68A RCW; adding a new section to chapter 9A.86 RCW; adding a new section to chapter 7.110 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5963 by Senators Kuderer and Valdez

AN ACT Relating to insurance requirements relating to the ownership of certain deadly weapons; adding a new section to chapter 9.41 RCW; adding a new section to chapter 48.15 RCW; adding a new section to chapter 48.17 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5964 by Senators Nobles and Frame

AN ACT Relating to increasing student access to free meals served at public schools; amending RCW 28A.150.260, 28A.235.135, 28A.235.160, 28A.235.250, 28A.235.270, 28A.235.285, and 28A.405.415; creating new sections; repealing RCW 28A.235.260; and providing an effective date.

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

SB 5965 by Senator Nguyen

AN ACT Relating to the environmental impacts of fashion; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5966 by Senators Wilson, C. and Wellman

AN ACT Relating to restraint or isolation of students in public schools and educational programs; amending RCW 28A.600.485, 28A.600.486, 28A.155.210, 28A.150.260, and 28A.400.007; adding new sections to chapter 28A.600 RCW; adding a new section to chapter 28A.300 RCW; creating a new section; providing an effective date; and providing an expiration date.

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

SB 5967 by Senators Frame and Wilson, J.; by request of Department of Natural Resources

AN ACT Relating to an exemption to the leasehold excise tax for leases on public lands; adding a new section to chapter 82.29A RCW; and creating new sections.

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Referred to Committee on Housing.

SB 5968 by Senator Stanford

AN ACT Relating to regulating home equity sharing agreements under the consumer loan act; amending RCW 31.04.015 and 31.04.102; and adding a new section to chapter 31.04 RCW.

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

SB 5969 by Senators Dhingra and Wellman

AN ACT Relating to school districts' authority to contract indebtedness for school construction; and amending RCW 28A.530.080.

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

SB 5970 by Senator Hunt

AN ACT Relating to modifying the number of county commissioner members on local boards of health for nonhome rule charter counties with five county commissioners; and amending RCW 70.05.030.

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

SB 5971 by Senators Kauffman and Frame

AN ACT Relating to recalculating sentencing ranges for currently incarcerated individuals whose offender score was increased by juvenile convictions no longer scorable under current law and allowing them to apply for resentencing without scoring those juvenile convictions; adding a new section to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5972 by Senators Lias and Van De Wege

AN ACT Relating to the use of neonicotinoid pesticides; adding a new section to chapter 15.58 RCW; and creating a new section.

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

SB 5973 by Senators Lias and Nguyen

AN ACT Relating to heat pumps in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5974 by Senators Frame and Saldaña

AN ACT Relating to the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023; amending RCW 13.40.192; and creating a new section.

Referred to Committee on Human Services.

SB 5975 by Senator Hasegawa

AN ACT Relating to authorizing use of the housing trust fund and other legislative appropriations to finance social housing; and amending RCW 43.185A.010, 43.185A.020, 43.185A.070, 43.185A.140, 43.185A.150, and 43.185A.180.

Referred to Committee on Housing.

SB 5976 by Senator Short

AN ACT Relating to controlling dogs at large; and amending RCW 16.08.070 and 16.08.100.

Referred to Committee on Law & Justice.

SB 5977 by Senators Salomon and Rivers

AN ACT Relating to the limited legalization of psilocybin services; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5978 by Senator Robinson

AN ACT Relating to the authority of the office of the superintendent of public instruction to act as a guarantor for a county when the county provides a loan to a school district; adding a new section to chapter 28A.505 RCW; and making an appropriation.

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

SB 5979 by Senators Keiser, Conway, Saldaña, Randall, Kuderer, Lias, Kauffman and Van De Wege

AN ACT Relating to accrued leave for construction workers; amending RCW 49.46.210; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5980 by Senators Keiser, Conway, Lias, and Van De Wege

AN ACT Relating to the timeline for issuing a citation for a violation of the Washington industrial safety and health act; and amending RCW 49.17.120.

Referred to Committee on Labor & Commerce.

SB 5981 by Senators Frame, Kuderer, Trudeau, Wilson, J., Wilson, C., Lovelett, Kauffman, and Nguyen

AN ACT Relating to people convicted of one or more crimes committed before the person's 18th birthday petitioning the indeterminate sentence review board; amending RCW 9.94A.730; and creating new sections.

Referred to Committee on Human Services.

SB 5982 by Senators Cleveland, Robinson, Keiser, Dhingra, Van De Wege, and Conway; by request of Department of Health

AN ACT Relating to updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention; amending RCW 70.290.010; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5983 by Senators Liias, and Rivers

AN ACT Relating to allowing medical assistants with telehealth access to a supervising clinician to provide intramuscular injections for syphilis treatment in the field for public health response efforts; amending RCW 18.360.010 and 18.360.050; adding a new section to chapter 18.360 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5984 by Senator Schoesler

AN ACT Relating to nonresident enrollment at institutions of higher education; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5985 by Senator Hansen; by request of Washington State Patrol

AN ACT Relating to the firearms background check program; amending RCW 9.41.049, 9.41.111, 9.41.114, 9.41.350, and 43.43.823; reenacting and amending RCW 9.41.010; and providing a contingent effective date.

Referred to Committee on Law & Justice.

SB 5986 by Senators Cleveland and Muzzall

AN ACT Relating to protecting consumers from charges for out-of-network health care services by prohibiting balance billing for ground ambulance services and addressing coverage of transports to treatment for emergency medical conditions; amending RCW 48.43.005, 48.49.003, 48.49.060, 48.49.070, 48.49.090, 48.49.100, and 48.49.130; adding new sections to chapter 48.49 RCW; adding new sections to chapter 18.73 RCW; adding a new section to chapter 48.43 RCW; creating a new section; and repealing RCW 48.49.190.

Referred to Committee on Health & Long-Term Care.

SB 5987 by Senators Trudeau and Dhingra

AN ACT Relating to improving consumer protection on gift certificates; amending RCW 19.240.005 and 19.240.020; and providing an effective date.

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

SB 5988 by Senators Trudeau and Nguyen

AN ACT Relating to gift certificates as unclaimed property; amending RCW 19.240.005, 63.30.010, and 63.30.280; adding a new section to chapter 63.30 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5989 by Senators Gildon and Lovelett

AN ACT Relating to confirmation of property ownership or owner authorization for short-term rentals; and adding a new chapter to Title 19 RCW.

Referred to Committee on Housing.

SB 5990 by Senators Lovelett and Saldaña

AN ACT Relating to integrating environmental justice considerations into certain project decisions; adding new sections to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5991 by Senators Lovelett and Stanford

AN ACT Relating to the duties of industrial insurance self-insured employers and third-party administrators; amending RCW 51.14.080 and 51.14.180; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5992 by Senators Warnick and King

AN ACT Relating to requiring applicants seeking energy facility site certification for an energy facility that generates electricity using renewable resources to provide evidence of an adequate water supply for the project; and amending RCW 80.50.060.

Referred to Committee on Environment, Energy & Technology.

SB 5993 by Senator Hasegawa; by request of Secretary of State

AN ACT Relating to requiring voter education within jurisdictions engaged in changing the method of selecting candidates during a primary or removing a primary as the result of employing a single event election process in a general election including a new cause of action, and reversion of the candidate selection processes when necessary; adding new sections to chapter 29A.52 RCW; creating a new section; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 5994 by Senators Trudeau and Nguyen; by request of Attorney General

AN ACT Relating to the antitrust penalties improvement act; amending RCW 19.86.140; and creating new sections.

Referred to Committee on Law & Justice.

SB 5995 by Senators Saldaña, Valdez, Kauffman and Trudeau

AN ACT Relating to creating a professional license for spoken language interpreters and translators; amending RCW 43.24.150, 74.04.025, and 74.04.025; adding a new chapter to Title 18 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5996 by Senators Saldaña, Valdez, Hunt, Shewmake, Trudeau, Kauffman, and Conway

AN ACT Relating to collecting data on the H-2A worker program and from certain hand harvesters; amending RCW 50.75.020; and adding new sections to chapter 50.75 RCW.

Referred to Committee on Labor & Commerce.

ESB 5997 by Senators King and Keiser

AN ACT Relating to making technical corrections to plumbing supervision and trainee hours reporting; amending

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RCW 18.106.070; and reenacting and amending RCW 18.106.010.

Referred to Committee on Labor & Commerce.

SB 5998 by Senator Hansen

AN ACT Relating to timing of eligibility for vacation of nonfelony convictions; and amending RCW 9.96.060.

Referred to Committee on Law & Justice.

SB 5999 by Senators Hansen and Nobles

AN ACT Relating to expanding financial aid eligibility; amending RCW 28B.92.205; and adding a new section to chapter 28B.92 RCW.

Referred to Committee on Ways & Means.

SB 6000 by Senators Hunt and Holy

AN ACT Relating to interruptive military service credit for members of the state retirement systems; amending RCW 41.26.520, 41.32.810, 41.35.470, 41.37.260, 41.40.710, and 43.43.260; and creating a new section.

Referred to Committee on Ways & Means.

SB 6001 by Senator Lovick

AN ACT Relating to the disposition of privately owned firearms in the custody of state or local government entities or law enforcement agencies; and amending RCW 9.41.098.

Referred to Committee on Law & Justice.

SB 6002 by Senator Hunt

AN ACT Relating to transferring the professional educator standards board and the paraeducator board to the office of the superintendent of public instruction; amending RCW 28A.300.040, 28A.410.200, 28A.410.210, 28A.413.020, and 28A.413.030; creating new sections; and providing an effective date.

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

SB 6003 by Senator Hunt

AN ACT Relating to the superintendent of public instruction chairing and administering the state board of education; amending RCW 28A.305.011, 28A.300.040, 28A.305.130, and 28A.300.020; creating new sections; and providing an effective date.

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

SB 6004 by Senators Liias and Trudeau

AN ACT Relating to enhancing requirements for the purchase or transfer of firearms by requiring a permit to purchase firearms, specifying standards for firearms safety training programs, and specifying circumstances where a firearm transfer may be delayed; amending RCW 9.41.090, 9.41.1132, 43.43.590, 9.41.049, 9.41.097, 9.41.0975, 9.41.110, 9.41.270, 9.41.280, 9.41.282, 9.41.284, 9.41.345, 9.41.800, 9.41.801, 9.41.802, 9.41.804, 9.41.815, 7.105.305, 7.105.330, 7.105.335, 7.105.340, 7.105.350, 7.105.570, 10.31.100, 10.99.030, 11.130.257, 26.09.060, 71.05.182,

and 72.23.080; reenacting and amending RCW 9.41.047, 7.105.310, and 10.99.040; adding new sections to chapter 9.41 RCW; adding a new section to chapter 43.43 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6005 by Senators Lovelett and Nguyen

AN ACT Relating to improving Washington's solid waste management outcomes; amending RCW 70A.245.010, 70A.245.020, 70A.245.030, 70A.245.040, 70A.245.090, 70A.245.100, 70A.245.120, 70A.245.060, 70A.205.005, 70A.205.010, 70A.205.045, 81.77.030, 81.77.160, and 81.77.185; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 70A.245 RCW; adding a new section to chapter 81.77 RCW; adding new chapters to Title 70A RCW; repealing RCW 70A.245.110; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 6006 by Senators Dhingra and Wagoner

AN ACT Relating to supporting victims of human trafficking and sexual abuse; amending RCW 26.44.020, 26.44.030, 74.13.031, 7.105.100, 7.105.110, 7.105.225, 7.105.405, 7.105.500, 7.68.060, 9A.44.120, 9A.44.150, 9A.82.100, 10.97.130, and 42.56.240; reenacting and amending RCW 13.34.030, 7.105.010, and 9A.04.080; adding a new section to chapter 26.44 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6007 by Senators Conway, Keiser, Hasegawa, Dhingra, Randall, Saldaña, Liias, Hunt, Nguyen, Kuderer, and Van De Wege

AN ACT Relating to employment standards for grocery workers; reenacting and amending RCW 49.48.082; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 6008 by Senators Trudeau and Torres

AN ACT Relating to updating terminology related to criminal insanity and competency to stand trial; amending RCW 10.77.050, 10.77.060, 10.77.065, 10.77.068, 10.77.072, 10.77.084, 10.77.0845, 10.77.074, 10.77.075, 10.77.078, 10.77.0885, 10.77.089, 10.77.092, 10.77.093, 10.77.0942, 10.77.095, 10.77.145, 10.77.200, 10.77.202, 10.77.250, 10.77.255, 10.77.270, 10.77.310, 10.77.320, 10.77.940, 4.24.550, 7.68.250, 9.41.098, 9.94B.080, 9.98.010, 9A.12.010, 10.01.160, 41.37.010, 46.20.031, 70.02.230, 70.74.360, 70.74.370, 71.05.212, 71.05.212, 71.05.217, 71.05.280, 71.05.290, 71.05.300, 71.05.940, 71.09.010, 71.09.025, 71.09.030, 71.09.060, and 71A.12.025; reenacting and amending RCW 10.77.010, 10.77.086, 10.77.088, 10.97.030, 9.41.040, 9.41.047, 70.02.010, 71.05.020, 71.05.020, and 74.13.075; creating a new section; and providing a contingent effective date.

Referred to Committee on Law & Justice.

SB 6009 by Senators Trudeau and Lovick

AN ACT Relating to prohibiting the use of hog-tying; reenacting and amending RCW 10.120.010; adding a new section to chapter 10.120 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 6010 by Senator Shewmake

AN ACT Relating to streamlining certain decisions pertaining to the development or extension of a trail or path from the state environmental policy act; and adding a new section to chapter 43.21C RCW.

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

SB 6011 by Senator Shewmake; by request of Department of Natural Resources

AN ACT Relating to the authority of the commissioner of public lands to enter into tribal interlocal agreements; and amending RCW 7.84.140 and 43.12.065.

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

SB 6012 by Senators Wellman and Braun

AN ACT Relating to an ongoing and collaborative process to help approved teacher preparation programs respond to the continuously changing needs of the modern classroom; and adding a new section to chapter 28A.410 RCW.

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

SB 6013 by Senator Shewmake

AN ACT Relating to expanding the homeownership development property tax exemption to include real property sold to low-income households for building residences using mutual self-help housing construction; amending RCW 84.36.049; amending 2019 c 361 s 2 (uncodified); and creating a new section.

Referred to Committee on Housing.

SB 6014 by Senators Wellman and Trudeau; by request of Office of Financial Management

AN ACT Relating to increasing the special education enrollment funding cap; and amending RCW 28A.150.390.

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

SB 6015 by Senator Shewmake

AN ACT Relating to parking configurations for residential uses; and adding a new section to chapter 36.70A RCW.

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

SB 6016 by Senator Shewmake

AN ACT Relating to a green energy community fund to support school districts and nonprofit organizations that service the communities where renewable energy projects are located; amending RCW 28A.325.030; adding a new chapter to Title 82 RCW; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 6017 by Senators Shewmake and King

AN ACT Relating to expanding the use of the border area fuel tax; amending RCW 82.47.030; and creating a new section.

Referred to Committee on Transportation.

SB 6018 by Senators Wilson, C. and Torres

AN ACT Relating to early learning coordinators at educational service districts; and adding a new section to chapter 28A.310 RCW.

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

SB 6019 by Senator Muzzall

AN ACT Relating to expanding prescriptive authority for pharmacists; amending RCW 18.64.011 and 69.41.030; reenacting and amending RCW 69.50.101; adding a new section to chapter 18.64 RCW; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 6020 by Senator Muzzall

AN ACT Relating to establishing a Puget Sound nonspot shrimp pot fishery license; amending RCW 77.70.005, 77.70.410, 77.70.420, and 77.65.220; and adding a new section to chapter 77.70 RCW.

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

SB 6021 by Senator Hansen

AN ACT Relating to reducing fees and expenses for services for people confined to correctional facilities; amending RCW 72.09.765; adding a new section to chapter 72.09 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 6022 by Senator Fortunato

AN ACT Relating to retirement medical trust plans for law enforcement officers; adding a new section to chapter 41.12 RCW; adding a new section to chapter 41.14 RCW; and making an appropriation.

Referred to Committee on Ways & Means.

SB 6023 by Senator Van De Wege

AN ACT Relating to limiting liability arising from the use of trained police dogs; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

SB 6024 by Senators Trudeau and Saldaña; by request of Office of the Governor

AN ACT Relating to promoting community and transit-oriented housing development; amending RCW 36.70A.500, 36.70A.620, and 43.21C.229; reenacting and

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amending RCW 36.70A.030; adding a new section to chapter 47.01 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 44.28 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.32 RCW; and creating a new section.

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

SB 6025 by Senator Stanford

AN ACT Relating to protecting consumers from predatory loans; amending RCW 31.04.015, 31.04.025, 31.04.027, and 31.04.035; and creating a new section.

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

SB 6026 by Senators Padden and McCune

AN ACT Relating to protecting the rights of parents and guardians by using students' given names in public schools; adding a new section to chapter 28A.320 RCW; and creating a new section.

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

SB 6027 by Senator Stanford; by request of Insurance Commissioner

AN ACT Relating to the insurer holding company act; and amending RCW 48.31B.005, 48.31B.025, and 48.31B.038.

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

SB 6028 by Senators Braun and Keiser; by request of Employment Security Department

AN ACT Relating to relieving individuals from paying interest on certain unemployment insurance overpayment assessments; amending RCW 50.20.190; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6029 by Senators Braun and Cleveland

AN ACT Relating to establishing limitations on detached accessory dwelling units outside urban growth areas; amending RCW 36.70A.696; and adding a new section to chapter 36.70A RCW.

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

SB 6030 by Senator Braun

AN ACT Relating to amending the county population threshold for counties that may exempt from taxation the value of accessory dwelling units to incentivize rental to low-income households; amending RCW 84.36.400; amending 2023 c 335 s 2 (uncodified); creating a new section; and providing an expiration date.

Referred to Committee on Housing.

SB 6031 by Senator Braun

AN ACT Relating to modifying the student transportation allocation to accommodate multiple vehicle types for transporting students; and amending RCW 28A.160.150, 28A.160.170, and 28A.160.180.

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

SB 6032 by Senator Braun

AN ACT Relating to community engagement with law enforcement at nonprofit religious schools; and amending RCW 43.330.545.

Referred to Committee on Law & Justice.

SB 6033 by Senator Braun

AN ACT Relating to ceremonial open carry on the Washington state capitol campus; and amending RCW 9.41.305.

Referred to Committee on Law & Justice.

SB 6034 by Senator Schoesler

AN ACT Relating to clarifying the excise tax treatment of document recording and filing fees received by title and escrow businesses from clients for remittance to county recording and filing offices; reenacting and amending RCW 82.04.050; adding a new section to chapter 82.04 RCW; and creating new sections.

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

SB 6035 by Senators Liias and Holy; by request of Office of Financial Management

AN ACT Relating to the public service loan forgiveness program; and amending RCW 41.04.045, 41.04.055, and 43.41.425.

Referred to Committee on Higher Education & Workforce Development.

SB 6036 by Senator Muzzall; by request of Department of Agriculture

AN ACT Relating to agriculture pest and disease response; amending RCW 17.24.171; adding new sections to chapter 43.23 RCW; and creating new sections.

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

SB 6037 by Senators Frame and Trudeau

AN ACT Relating to providing judicial discretion to modify sentences in the interests of justice; amending RCW 10.73.100; adding a new section to chapter 9.94A RCW; and creating new sections.

Referred to Committee on Law & Justice.

SB 6038 by Senators Wilson, C. and Lovelett

AN ACT Relating to reducing the costs associated with providing child care; amending RCW 43.216.300; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6039 by Senators Lovelett and Shewmake

AN ACT Relating to promoting the development of geothermal energy resources; amending RCW 79.13.530; adding a new section to chapter 43.92 RCW; adding a new section to chapter 43.31 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 6040 by Senators Valdez and Keiser

AN ACT Relating to prompt payment in public works; and amending RCW 39.04.250.

Referred to Committee on State Government & Elections.

SJM 8009 by Senators Hasegawa and Wagoner

Concerning the federal harbor maintenance tax.

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

SJR 8207 by Senators Hunt and Wellman; by request of Superintendent of Public Instruction

Amending the Constitution to allow a majority of voters voting to authorize school district bonds.

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

SCR 8411 by Senators Pedersen, Short, and Nobles

Specifying the status of bills, resolutions, and memorials.

PLACED ON SECOND READING CALENDAR.

SCR 8412 by Senators Pedersen and Short

Establishing cutoff dates for the consideration of legislation during the 2024 regular session of the sixty-eighth legislature.

HELD AT THE DESK.

SCR 8413 by Senators Warnick and Schoesler

Naming the new Irving R. Newhouse Building.

Referred to Committee on State Government & Elections.

SCR 8414 by Senators Lovick and Torres; by request of

Lieutenant Governor

Creating a joint select committee on civic health.

Referred to Committee on State Government & Elections.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5792 which had been designated to the Committee on Housing and was referred to the Committee on Law & Justice; Senate Bill No. 5901 which had been designated to the Committee on Housing and was referred to the Committee on Local Government, Land Use & Tribal Affairs; Senate Bill No. 6010 which had been designated to the Committee on Environment,

Energy & Technology and was referred to the Committee on Local Government, Land Use & Tribal Affairs; Senate Joint Memorial No. 8009 which had been designated to the Committee on Ways & Means and was referred to the Committee on Business, Financial Services, Gaming & Trade; and Senate Concurrent Resolution No. 8411 which was placed on the day's second reading calendar.

On motion of Senator Pedersen and without objection, the measures listed on the document titled "2024 Legislative Session Bill Disposition List 1/8/2024" were referred to the various committees as designated:

The following measures under consideration by the Committee on Rules were referred to the Committee on Business, Financial Services, Gaming & Trade:

SENATE BILL NO. 5053;
SENATE BILL NO. 5091;
and SENATE BILL NO. 5705.

The following measure under consideration by the Committee on Rules was referred to the Committee on Health & Long-Term Care:

SENATE BILL NO. 5095.

The following measure under consideration by the Committee on Rules was referred to the Committee on Housing:

SENATE BILL NO. 5730.

The following measures under consideration by the Committee on Rules were referred to the Committee on Human Services:

SENATE BILL NO. 5280;
and SECOND SUBSTITUTE SENATE BILL NO. 5438.

The following measures under consideration by the Committee on Rules were referred to the Committee on Law & Justice:

SENATE BILL NO. 5205;
and SENATE BILL NO. 5578.

The following measure under consideration by the Committee on Rules was referred to the Committee on State Government & Elections:

SENATE BILL NO. 5209.

The following measures under consideration by the Committee on Rules were referred to the Committee on Transportation:

SUBSTITUTE SENATE BILL NO. 5178;
SENATE BILL NO. 5333;
SENATE BILL NO. 5383;
SENATE BILL NO. 5738;
and SENATE BILL NO. 5763.

The following measures under consideration by the Committee on Rules were referred to the Committee on Ways & Means:

SENATE BILL NO. 5031;
ENGROSSED SENATE BILL NO. 5309;
SENATE BILL NO. 5379;
SENATE BILL NO. 5516;
SUBSTITUTE SENATE BILL NO. 5600;
and SENATE BILL NO. 5663.

The following measures under consideration by the Committee on Rules and held in the Committee's X-file were placed on the Committee's calendar and made eligible for 2nd Reading:

SENATE BILL NO. 5002;
SENATE BILL NO. 5051;
SENATE BILL NO. 5056;
SENATE BILL NO. 5085;

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SENATE BILL NO. 5129;
 SENATE BILL NO. 5160;
 SENATE BILL NO. 5213;
 SENATE BILL NO. 5241;
 SENATE BILL NO. 5271;
 SENATE BILL NO. 5291;
 SENATE BILL NO. 5299;
 SENATE BILL NO. 5344;
 SENATE BILL NO. 5368;
 SENATE BILL NO. 5376;
 SENATE BILL NO. 5481;
 SENATE BILL NO. 5588;
 SENATE BILL NO. 5602;
 SENATE BILL NO. 5610;
 SENATE BILL NO. 5631;
 SENATE BILL NO. 5635;
 SENATE BILL NO. 5640;
 SENATE BILL NO. 5647;
 SENATE BILL NO. 5657;
 SENATE BILL NO. 5670;
 SENATE BILL NO. 5677;
 SENATE BILL NO. 5684;
 SENATE BILL NO. 5690;
 SENATE BILL NO. 5722;
 SENATE BILL NO. 5723;

SENATE JOINT RESOLUTION NO. 8203;
 and SENATE CONCURRENT RESOLUTION NO. 8402.

The following measures under consideration by the Committee on Rules were placed in the Committee's X-file:

SENATE BILL NO. 5019;
 ENGROSSED SENATE BILL NO. 5022;
 SUBSTITUTE SENATE BILL NO. 5054;
 SUBSTITUTE SENATE BILL NO. 5094;
 SUBSTITUTE SENATE BILL NO. 5110;
 SENATE BILL NO. 5162;
 ENGROSSED SECOND SUBSTITUTE
 SENATE BILL NO. 5174;
 SENATE BILL NO. 5201;
 SUBSTITUTE SENATE BILL NO. 5210;
 SUBSTITUTE SENATE BILL NO. 5235;
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5267;
 SENATE BILL NO. 5277;
 SENATE BILL NO. 5292;
 SENATE BILL NO. 5296;
 ENGROSSED SECOND SUBSTITUTE
 SENATE BILL NO. 5311;
 SUBSTITUTE SENATE BILL NO. 5318;
 SUBSTITUTE SENATE BILL NO. 5388;
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5466;
 SECOND SUBSTITUTE SENATE BILL NO. 5477;
 SENATE BILL NO. 5487;
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5576;
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5614;
 SUBSTITUTE SENATE BILL NO. 5672;
 SUBSTITUTE SENATE BILL NO. 5696;
 SENATE BILL NO. 5725;
 SENATE BILL NO. 5732;
 SUBSTITUTE SENATE BILL NO. 5743;
 SENATE BILL NO. 5748;
 and SENATE BILL NO. 5764.

MOTION

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

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8411, by Senator Short

Specifying the status of bills, resolutions, and memorials.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Concurrent Resolution No. 8411 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8411.

Senator Pedersen spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8411 having received a majority was adopted by voice vote.

MOTION

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

MESSAGE FROM THE GOVERNOR
 GUBERNATORIAL APPOINTMENTS

October 26, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KRISTOPHER K. PETERS, appointed October 26, 2021, for the term ending September 30, 2027, as Member of The Evergreen State College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9358.

May 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

J. R. LEACH, appointed June 1, 2023, for the term ending December 31, 2027, as Member of the Public Disclosure Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9359.

May 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARILEE SCARBROUGH, appointed May 22, 2023, for the term ending September 30, 2027, as Member of the Clark College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9360.

May 24, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FAYE N. EMMANUEL, appointed May 24, 2023, for the term ending January 4, 2027, as Member of the Personnel Resources Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9361.

June 5, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JC BALDWIN, appointed July 3, 2023, for the term ending June 30, 2029, as Member of the Transportation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9362.

June 5, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KADY D. TITUS, appointed June 12, 2023, for the term ending September 30, 2026, as Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9363.

June 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LUC JASMIN, appointed June 19, 2023, for the term ending June 17, 2028, as Member of the Human Rights Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9364.

June 8, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JAY L. CUNNINGHAM, appointed July 3, 2023, for the term ending June 30, 2024, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9365.

June 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KAREN DONOHUE, appointed June 26, 2023, for the term ending August 2, 2025, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9366.

June 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ISAAC MARROQUIN, appointed July 3, 2023, for the term ending June 30, 2024, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9367.

June 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SASHA MITCHELL, appointed July 3, 2023, for the term ending June 30, 2024, as Member of the Central Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9368.

June 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SHAENA M. MORGAN, appointed July 3, 2023, for the term ending June 30, 2024, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

FIRST DAY, JANUARY 8, 2024

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9369.

June 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MAX A. STONE, appointed July 3, 2023, for the term ending June 30, 2024, as Member of the Western Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9370.

June 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEFFERY B. SWAN, appointed August 3, 2023, for the term ending August 2, 2026, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9371.

June 26, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARGARET K. WALKER, appointed June 26, 2023, for the term ending September 30, 2024, as Member of the University of Washington Board of Regents.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9372.

June 27, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEVEN MALLOCH, reappointed July 3, 2023, for the term ending June 30, 2027, as Member of the Chehalis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9373.

June 27, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JERRY J. MENINICK, appointed June 27, 2023, for the term ending June 12, 2027, as Member of the Columbia River Gorge Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9374.

June 28, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ALEXANDER K. LEE, reappointed October 2, 2023, for the term ending September 30, 2028, as Member of the Cascadia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9375.

June 28, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CELESTE M. SCHOENTHALER, appointed July 3, 2023, for the term ending September 30, 2024, as Member of the Peninsula College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9376.

July 5, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRYANNA J. ARTELLANO, appointed July 5, 2023, for the term ending June 30, 2024, as Member of the Edmonds Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9377.

July 17, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KALEEN COTTINGHAM, appointed July 17, 2023, for the term ending July 15, 2027, as Member of the Salmon Recovery Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9378.

2024 REGULAR SESSION

July 18, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

CHRISTOPHER G. SWANSON, appointed August 1, 2023, for the term ending June 30, 2026, as Member of the Pollution Control/Shorelines Hearings Board.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Local Government, Land Use & Tribal Affairs as Senate Gubernatorial Appointment No. 9379.

July 19, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

RAYMOND L. DELOS REYES, appointed July 19, 2023, for the term ending September 25, 2025, as Member of the Clemency and Pardons Board.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9380.

July 19, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

ANNA M. FRANKLIN, appointed July 19, 2023, for the term ending June 30, 2026, as Member of the Washington State Women's Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9381.

July 20, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

NICOLE R. BASCOMB-GREEN, appointed July 31, 2023, for the term ending at the governor's pleasure, as a Chair of the Housing Finance Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9382.

July 20, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

SAMUEL T. MENSER, appointed July 24, 2023, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9383.

July 20, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

WILLIAM N. RUMPF, reappointed July 31, 2023, for the term ending June 30, 2027, as Member of the Housing Finance Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9384.

August 9, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

CLAIRE S. RONEY, reappointed October 2, 2023, for the term ending September 30, 2028, as Member of the Peninsula College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9385.

August 9, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

DAVID ZEECK, reappointed October 2, 2023, for the term ending September 30, 2029, as Member of the University of Washington Board of Regents.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9386.

August 24, 2023
 TO THE HONORABLE, THE SENATE OF THE STATE OF
 WASHINGTON
 Ladies and Gentlemen:

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

DAVID HERRERA, appointed August 24, 2023, for the term ending June 25, 2027, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9387.

August 25, 2023

FIRST DAY, JANUARY 8, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ONYA N. ROBERTSON, appointed August 25, 2023, for the term ending June 30, 2024, as Member of The Evergreen State College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9388.

August 25, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MUSTAPHA SAMATEH, appointed August 25, 2023, for the term ending June 30, 2024, as Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9389.

August 29, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RICHARD B. FIRTH, appointed August 29, 2023, for the term ending December 26, 2024, as Member of the Board of Pilotage Commissioners.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9390.

September 5, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MEGAN MATTHEWS, appointed August 23, 2023, for the term ending at the governor's pleasure, as a Director of the Washington State Office of Equity.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9391.

September 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARK A. HUGHES, appointed September 6, 2023, for the term ending September 30, 2025, as Member of the Olympic College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9392.

September 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

GLENN F. ELLIS, appointed September 15, 2023, for the term ending September 30, 2026, as Member of the Peninsula College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9393.

September 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SCHUYLER F. HOSS, appointed September 15, 2023, for the term ending August 2, 2029, as Member of the Lottery Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9394.

September 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT H. MALTE, reappointed October 2, 2023, for the term ending September 30, 2028, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9395.

September 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JESSICA J. NOROUZI, reappointed October 2, 2023, for the term ending September 30, 2028, as Member of the Renton Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9396.

September 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

PATRICIA SHUMAN, appointed October 2, 2023, for the term ending September 30, 2028, as Member of the Tacoma Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9397.

September 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEFFERY S. VINCENT, appointed September 15, 2023, for the term ending June 30, 2027, as Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9398.

September 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ADRIANNE N. WAGNER, reappointed October 2, 2023, for the term ending September 30, 2028, as Member of the Edmonds Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9399.

September 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ASTRID E. AVELEDO, reappointed October 2, 2023, for the term ending September 30, 2028, as Member of the Grays Harbor College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9400.

September 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT DECOTEAU, reappointed October 2, 2023, for the term ending September 30, 2028, as Member of the Bellingham Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9401.

September 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARTY J. DICKINSON, reappointed October 2, 2023, for the term ending September 30, 2029, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9402.

September 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

CANDELARIO GONZALEZ, reappointed October 3, 2023, for the term ending September 30, 2028, as Member of the Olympic College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9403.

September 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HEATHER MOSS RICH, appointed October 2, 2023, for the term ending September 30, 2028, as Member of the Bates Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9404.

September 22, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRIAN SURRETT, reappointed October 2, 2023, for the term ending September 30, 2028, as Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9405.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FIRST DAY, JANUARY 8, 2024

ELAINE CHU, appointed October 3, 2023, for the term ending September 30, 2028, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9406.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

RAYMOND CONNER, appointed October 3, 2023, for the term ending September 30, 2029, as Member of the Central Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9407.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MARC D. DAUDON, appointed October 3, 2023, for the term ending June 30, 2026, as Member of the Energy Northwest Executive Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9408.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ALICE E. DIETZ, appointed October 3, 2023, for the term ending September 30, 2028, as Member of the Lower Columbia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9409.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ELIZABETH G. FORD, appointed October 2, 2023, for the term ending September 8, 2028, as Member of the Public Employment Relations Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9410.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ANNA M. FRANKLIN, appointed October 3, 2023, for the term ending September 30, 2028, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9411.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JESSE E. JOHNSON, appointed October 3, 2023, for the term ending September 30, 2028, as Member of the Highline College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9412.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SCOTT A. MERRIMAN, appointed January 3, 2024, for the term ending December 31, 2028, as Member of the Parks and Recreation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9413.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DOUGLAS T. PICHA, appointed October 3, 2023, for the term ending September 30, 2029, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9414.

October 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TERESA N. TAYLOR, appointed October 3, 2023, for the term ending September 30, 2028, as Member of the Whatcom Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9415.

October 3, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

CHRISTOPHER T. THOMAS, appointed October 3, 2023,
for the term ending September 30, 2027, as Member of the
Centralia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9416.

October 3, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

STEVEN A. ZIMMERMAN, appointed October 3, 2023, for
the term ending September 30, 2028, as Member of the
Wenatchee Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9417.

October 10, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

JAMES D. STARK, appointed October 10, 2023, for the term
ending September 30, 2028, as Member of the Shoreline
Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9418.

October 13, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

MACK L. HOGANS, reappointed October 13, 2023, for the
term ending September 30, 2027, as Member of the State Board
for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9419.

October 13, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

ANNALEE K. TOBEY, reappointed October 13, 2023, for
the term ending September 30, 2028, as Member of the Centralia
College Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9420.

October 13, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

MARTIN VALADEZ, reappointed October 13, 2023, for the
term ending September 30, 2027, as Member of the State Board
for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9421.

October 25, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

JAMES P. MOSS, appointed October 25, 2023, for the term
ending June 30, 2026, as Member of the Energy Northwest
Executive Board.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Environment, Energy &
Technology as Senate Gubernatorial Appointment No. 9422.

October 26, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

ROXANNE M. CORTEZ, appointed October 26, 2023, for
the term ending July 1, 2028, as Member of the Washington State
School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Early Learning & K-12 Education
as Senate Gubernatorial Appointment No. 9423.

October 26, 2023
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

STEVEN J. DREW, appointed October 26, 2023, for the term
ending September 30, 2028, as Member of the South Puget Sound
Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9424.

FIRST DAY, JANUARY 8, 2024

October 26, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KIM L. MOBERG, appointed October 26, 2023, for the term ending July 1, 2028, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9425.

October 27, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

YANA M. CHUBAROV, appointed October 27, 2023, for the term ending June 30, 2024, as Member of the Bellevue College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9426.

October 31, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

SUZANNE DONALDSON, appointed October 31, 2023, for the term ending September 30, 2028, as Member of the Clark College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9427.

November 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

STEPHANIE J. BARDIN, appointed November 15, 2023, for the term ending January 19, 2026, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9428.

November 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

AMY E. PARRIS, reappointed November 15, 2023, for the term ending September 30, 2028, as Member of the Big Bend Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9429.

November 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRENT L. STARK, reappointed November 15, 2023, for the term ending July 1, 2028, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9430.

November 15, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HUEY YU, appointed November 15, 2023, for the term ending January 20, 2027, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9431.

November 29, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DOUGLASS A. NORTH, appointed November 29, 2023, for the term ending December 31, 2026, as Member of the Public Disclosure Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9432.

December 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ANDREA CARRILLO, appointed December 11, 2023, for the term ending June 30, 2026, as Member of the Washington State Women's Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9433.

December 6, 2023

2024 REGULAR SESSION

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9438.

December 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

BRIAN S. SMITH, appointed December 19, 2023, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9439.

December 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JEFFERY S. VINCENT, appointed December 19, 2023, for the term ending June 30, 2025, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9440.

December 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

WILLIAM W. WARREN, reappointed December 19, 2023, for the term ending September 30, 2028, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9441.

December 21, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DENISE A. MARESTEIN RENTERIA, appointed December 21, 2023, for the term ending June 30, 2027, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9442.

January 3, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LILY CLIFTON, reappointed December 6, 2023, for the term ending July 1, 2028, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9434.

December 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TAMRA L. JACKSON, reappointed December 6, 2023, for the term ending September 30, 2027, as Member of the Wenatchee Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9435.

December 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAELA L. JACKSON, appointed December 19, 2023, for the term ending June 30, 2027, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9436.

December 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KEVIN C. ROXAS, appointed December 19, 2023, for the term ending June 30, 2026, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9437.

December 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

MICHAEL S. SHIOSAKI, reappointed January 1, 2024, for the term ending December 31, 2026, as Member of the Recreation and Conservation Funding Board.

Sincerely,

FIRST DAY, JANUARY 8, 2024

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

RUBEN FLORES, appointed January 3, 2024, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9443.

MOTION

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

January 8, 2024

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

Mr. President and Members of the Senate:

For your information, the following reports have been submitted by the various agencies, departments, and taskforces and received by the Office of the Secretary of the Senate since the close of the previous session:

Agriculture, Department of - “2023 Okanogan Soil Remediation Projects Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “Electronic Cattle Transaction Reporting System, 2023 Annual Report”, pursuant to 16.57.450 RCW; “Livestock Identification Program Annual Report 2023”, pursuant to 16.57.460 RCW; “Food Policy Forum 2023 Report”, pursuant to 89.50.020 RCW; “Levels of Nonnutritive Substances in Fertilizers 2023 Report”, pursuant to 15.54.433 RCW;

Beef Commission, Washington State - “Beef Commission 2022-23 Annual Report”, pursuant to 16.67.200 RCW;

Capital Projects Advisory Review Board - “SHB 1621 Review Report to the Legislature”, in accordance with Substitute House Bill No. 1621; “SHB 1621 Review Report to the Legislature Letter of Transmittal”, in accordance with Substitute House Bill No. 1621;

Central Washington University - “Addressing Sexual Misconduct at Postsecondary Educational Institutions Report”, pursuant to 28B.112.050 RCW;

Children, Youth, and Families, Department of - “Children & Youth Behavioral Health Work Group Annual Report; Part 2: Prenatal-25 Behavioral Health Strategic Plan”, in accordance with Second Substitute House Bill No. 1890; “Imagination Library of Washington Annual Report”, in accordance with Substitute House Bill No. 2068; “Juvenile Rehabilitation Community Transition Services Implementation Notice”, in accordance with Engrossed Second Substitute House Bill No. 1186; “DCYF Assessment Oversight Group Review Determination Letter”, in accordance with Engrossed Second Substitute House Bill No. 1186;

Commerce, Department of - “Yakima Valley Gang Violence Prevention Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “Criminal Penalty Fees Related to Sexual Exploitation Crimes Report”, in accordance with Engrossed Substitute House Bill No. 1291; “Multifamily Housing Property Tax Exemption Study”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Community Reinvestment Plan Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “2023 Aerial Imagery Study”, in accordance with Engrossed Substitute House Bill No. 1629; “Green Roof and Rooftop Agrivoltaic Benefit-Cost Analysis Final Report”, in accordance with Engrossed Substitute Senate Bill No. 5187; “OFSPV

Firearm Violence Prevention Program Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “Schools Sited Outside of Urban Growth Areas Report”, pursuant to 36.70A.040 RCW; “2023 State Surplus Property Program Report”, pursuant to 43.63A.510 RCW; “Stabilizing Rents for Tenants in State-Funded Affordable Housing Interim Report”, in accordance with Engrossed Substitute Senate Bill No. 5187; “Homelessness in Washington 2022 Annual Report”, pursuant to 43.185C RCW; “Homelessness in Washington 2021 Annual Report”, pursuant to 43.185C RCW; “Public Works Board 2023 Infrastructure Loans and Grants Report”, pursuant to 43.155.070 RCW; “Equitable Access to Credit Program Development Update Letter”, in accordance with House Bill No. 1015 and pursuant to 43.390.020 RCW; “Growth Management Emphasis Areas and Research Priorities Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “Supporting Homeless Service Provider Workers Experiencing Workplace Trauma in Washington State: Study and Recommendations”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Outreach For Historically Underserved Communities Report”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Incorporation Study for Parkland, Spanaway, Midland, Frederickson, North Clover Creek-Collins, Summit-Waller, and Summit View”, in accordance with Engrossed Substitute Senate Bill No. 5693; “Workplace Response to Domestic Violence Report”, in accordance with House Bill No. 1315; “Housing-Related Support For People Discharging From Long-Term Care Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “2022 Affordable Housing Update”, pursuant to 43.185B.040 RCW; “Permanent Supportive Housing Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “2023 Affordable Housing Update”, pursuant to 43.185B.040 RCW; “2023 Broadband Grants Report”, in accordance with Substitute Senate Bill No. 5651; “Grants Demographic and Geographic Data Project Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “Services for Indigenous Survivors of Human Trafficking Report”, in accordance with House Bill No. 1571; “Arlington Drive Youth Campus and Young Adult Housing Program Report”, in accordance with Engrossed Substitute Senate Bill No. 5092;

Communities of Concern Commission - “Report to the Legislature”, in accordance with Engrossed Substitute Senate Bill No. 5200;

Community & Technical Colleges, State Board for (SBCTC) - “2021-2023 Job Skills Program, 2024 Biennial Report”, in accordance with Engrossed Substitute House Bill No. 1247;

Conservation Commission, Washington State - “Sustainable Farms and Fields Program (SFF) Report; FY 2022-23”, pursuant to 89.08.630 RCW;

Corrections Ombuds, Governor's Office of - “Corrections Ombuds Annual Report Fiscal Year 2023”, pursuant to 43.06C.060 RCW; “Prison-Initiated Disciplinary Process Recommendations Report”, pursuant to 43.06C.060 RCW; “Corrections Ombuds Restrictive Housing Recommendations”, pursuant to 43.06C.060 RCW; “Unexpected Fatalities in Washington State DOC Custody - UFR Reports, Committee Recommendations & Corrective Action Plans Report”, pursuant to 43.06C.080 RCW;

Corrections, Department of - “Unexpected Fatality Review Committee Report UFR-23-011”, pursuant to 72.09.770 RCW; “Unexpected Fatality Review Committee Report UFR-23-010”, pursuant to 72.09.770 RCW; “Unexpected Fatality Review Committee Report UFR-23-007”, pursuant to 72.09.770 RCW; “Unexpected Fatality Review Committee Report UFR-23-008”, pursuant to 72.09.770 RCW; “Unexpected Fatality Review Committee Report UFR-23-009”, pursuant to 72.09.770 RCW; “Unexpected Fatality Review Committee Report UFR-23-004”, pursuant to 72.09.770 RCW; “Community Corrections Staffing

Model 2022 Report", in accordance with Engrossed Substitute Senate Bill No. 5092; "*CORRECTED Community Custody Coaching Supervision Model, 2023 Report*", in accordance with Engrossed Substitute Senate Bill No. 5092; "*Unexpected Fatality Review Committee Report UFR-23-002*", in accordance with Engrossed Substitute Senate Bill No. 5119 72.09.770 RCW; "*Unexpected Fatality Review Committee Report UFR-23-006*", pursuant to 72.09.770 RCW; "*Unexpected Fatality Review Committee Report UFR-23-005*", pursuant to 72.09.770 RCW; "*Parent Navigators & Dependency Support Preliminary Report*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Extraordinary Medical Placement (EMP) Data - Annual Report*", pursuant to 72.09.620 RCW; "*Unexpected Fatality Review Committee Report UFR-23-013*", pursuant to 72.09.770 RCW; "*Unexpected Fatality Review Committee Report UFR-23-014*", pursuant to 72.09.770 RCW;

Courts, Administration Office of the - "*Family and Youth Justice Programs (FYJP) Inaugural Newsletter Fall 2023*", pursuant to 2.56.230 RCW; "*Family and Juvenile Court Improvement Program, (FJCIP) Report*", in accordance with Second Substitute House Bill No. 2822;

Criminal Justice Training Commission, Washington State - "*Increasing Training Capacity: Preliminary (WSCJTC) Report*", pursuant to 43.10 RCW; "*Law Enforcement Training and Community Safety Act - Violence De-Escalation Training - Compliance and Implementation Report*", in accordance with Engrossed Second Substitute House Bill No. 1310;

Ecology, Department of - "*Ecology Rulemaking on Climate Funds Report*", pursuant to 70A.65.300 RCW; "*Puget Sound Nutrient Credit Trading Recommendations for Program Implementation Report*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Research & Recommendations for Water Quality Trading for Permittees Under the Puget Sound Nutrient General Permit Report*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Electric Vehicle (EV) Battery Management Study: Preliminary Report*", in accordance with Engrossed Second Substitute Senate Bill No. 5144; "*Distribution of Funds from Climate Commitment Act Account, Fiscal Year 2023 Report*", pursuant to 70A.65.300 RCW;

Education Ombuds, Governor's Office of the - "*Education Ombuds (OEO) 2022-2023 Annual Report*", in accordance with Substitute Senate Bill No. 5376;

Education, Washington State Board of - "*Developing A Statewide Approach For Assessing School Climate Progress Report*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Development of a School Climate Assessment for Washington State: Incorporating Feedback from Students, Families, and Educators*", in accordance with Engrossed Substitute Senate Bill No. 5693;

Employment Security Department - "*WorkFirst Wage Progression and Returns Report: Through Second-Quarter 2022*", pursuant to 74.08A.411 RCW; "*2022 Labor Market and Economic Report*", pursuant to 50.38.040 RCW; "*Paid Family & Medical Leave Program Needs and Resources Report*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*Economic Security For All Report*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*ESSB 5097 Family Member Expansion Analysis: 2nd Report*", in accordance with Engrossed Substitute Senate Bill No. 5097; "*Unemployment Insurance Benefits for Apprenticeship Program Participants Report*", in accordance with Substitute House Bill No. 1458; "*Employment Security 2023 Financial Report*", in accordance with Engrossed Substitute Senate Bill No. 5092; "*Federal Funding Shortfall Report*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*Actuarial Annual Report for Paid Family & Medical Leave*", pursuant to 50A.05.050 RCW; "*Employment Services for Individuals with Disabilities*", pursuant to 50.12.210 RCW; "*Economic Security For All Report*", in accordance with Engrossed Substitute Senate Bill No.

5693; "*Confidentiality of ESD Records and Data*", in accordance with Engrossed Senate Bill No. 5439;

Enterprise Services, Department of - "*Annual Leased Facilities 2023 Report Transmittal Letter*", pursuant to 43.82.010 RCW; "*Annual Leased Facilities 2023 Report*", pursuant to 43.82.010 RCW; "*2023 Information Technology Contracts Report Transmittal Letter*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*2023 Information Technology Contracts Report*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*Zero Emissions Vehicle Implementation Strategy Report, June 2023*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Biodiesel Use by Washington State Agencies Report 2023 Transmittal Letter*", pursuant to 43.19.646 RCW; "*Biodiesel Use by Washington State Agencies Report 2023*", pursuant to 43.19.646 RCW; "*2023 Small Business Participation State Purchasing Report Transmittal Letter*", pursuant to 43.19.725 RCW; "*2023 Small Business Participation State Purchasing Report*", pursuant to 43.19.725 RCW; "*2023 Electric Vehicle Charging Equipment Installation Memo*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*2023 Electric Vehicle Charging Equipment Installation Report*", in accordance with Engrossed Substitute Senate Bill No. 5693;

Environmental Justice Council - "*2023 Report to the Community, Governor, and Legislature*", pursuant to 70A.02.110 RCW;

Financial Management, Office of - "*Feasibility Study to Streamline the Vacation of Criminal Conviction Records*", in accordance with Engrossed Substitute Senate Bill No. 5092; "*Feasibility Study to Streamline the Vacation of Criminal Conviction Records Transmittal Letter*", in accordance with Engrossed Substitute Senate Bill No. 5092; "*One Washington Quarterly Report, April - June 2023*", in accordance with Substitute Senate Bill No. 5883; "*One Washington Performance Metrics, April - June 2023*", in accordance with Substitute Senate Bill No. 5883; "*One Washington Budget Report, April - June 2023*", in accordance with Substitute Senate Bill No. 5883; "*Dual Credit 2023 Annual Report Letter of Transmittal*", pursuant to 28A.600.280 RCW; "*Dual Credit 2023 Annual Report*", pursuant to 28A.600.280 RCW; "*One Washington Executive Committee Approval of Phase 1A Schedule*", in accordance with Substitute Senate Bill No. 5883; "*Background Checks Feasibility Study Letter of Transmittal*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Vendor Rate Study Transmittal Letter*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Vendor Rate Study*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Washington State Laws Affecting Greenhouse Gas Emissions Study Report*", pursuant to 70A.65.200 RCW;

Fish and Wildlife, Department of - "*Enloe Dam Removal Feasibility Proviso*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*European Green Crab Quarterly Report - Spring 2023 (January 1 to March 31, 2023)*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*End of Biennium Report of the Inventory and Assessment of City-Owned Fish Passage Barriers*", in accordance with Substitute Senate Bill No. 5165; "*European Green Crab Quarterly Report - Summer 2023 (April 1 to June 30, 2023)*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*WDFW Fisheries Monitoring Report 2023*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*WDFW - Environmental Protection Division of the Attorney General Office Report*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Eastern Washington Pheasant Enhancement Program Annual Report*", pursuant to 77.12.820 RCW; "*European Green Crab Quarterly Progress Report - Fall 2023 (July 1 to September 30, 2023)*", in accordance with Engrossed Substitute Senate Bill No. 5693;

FIRST DAY, JANUARY 8, 2024

Health Care Authority - *“Behavioral Health Service Delivery Guide Overview Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Behavioral Health Service Delivery Guide - Future State Roadmap PowerPoint”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Evidence-Based Practice Institute 2023 Annual Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Dr. Robert Bree Collaborative Annual Report - Working Together to Improve Health Care Quality, Outcomes, Equity, and Affordability”*, in accordance with Engrossed Substitute House Bill No. 1311; *“Outpatient Competency Restoration Program Annual Report - Trueblood Program”*, in accordance with Second Substitute Senate Bill No. 5664; *“Universal Health Care Commission (UHCC) Annual Report”*, in accordance with Engrossed Second Substitute Senate Bill No. 5399; *“Public Employees Benefits Board; Cost and Utilization Trends, Demographics, and Impacts of Alternative Consumer-Directed Health Plans Report”*, in accordance with Engrossed Senate Bill No. 5773 and pursuant to 41.05.065 RCW; *“Children and Youth Behavioral Health Work Group Annual Report of Recommendations, Part 1”*, in accordance with Second Substitute House Bill No. 1890; *“Amerigroup Maternal Health Report”*, in accordance with Senate Bill No. 5068; *“Health Care Cost Transparency Board, Cascade Select Public Option Report”*, in accordance with Engrossed Second Substitute Senate Bill No. 5377; *“Whatcom Crisis Stabilization Pilot Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Behavioral Health Comparison Rate Development: Phase Two Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Health Care Cost Transparency Board Annual Report”*, in accordance with Substitute Senate Bill No. 5589; *“Public Employees Benefits Board Annual Report; Customer Service Complaints and Appeals”*, in accordance with Substitute Senate Bill No. 6584 and pursuant to 41.05.630 RCW; *“Operation of Community Behavioral Health Service Delivery System Report”*, in accordance with Engrossed Second Substitute Senate Bill No. 5432 and pursuant to 71.24.420 RCW; *“Apple Health (Medicaid) Managed Care Preventive Services and Vaccinations”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Fertility Treatment Benefit; Implementation Cost Analysis”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Behavioral Health Outcomes; An Overview of Metrics For Future Reporting”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Hepatitis C Free Washington Progress Report: Hepatitis C Elimination Strategy in 2023, January-March”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Rural Access Study; Behavioral Health Services in Rural Communities FY23”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Trueblood Diversion Program Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Final Report on Best Telehealth Practices for Pediatric Behavioral Health”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Medicaid Transformation Project Quarterly Report, Year 7, Quarter 1”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Habilitative Mental Health CLIP Facility Standup Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Total Cost of Insulin Work Group Final Report”*, in accordance with Substitute House Bill No. 1728; *“Inpatient Hospital Certified Public Expenditure Program, 2023 Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Behavioral Health Workforce Pilot Program and Training Grants Program”*, in accordance with Engrossed Second Substitute House Bill No. 1504; *“Employment Status of Washington Apple Health (Medicaid) Clients and Non-Client Individuals with Dependents Who are Apple Health Clients Report”*, in accordance with Engrossed Substitute House Bill No. 3079; *“Criminal Justice Treatment Account (CJTA) Administration - County Appropriations”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“UPDATE: Children*

and Youth Behavioral Health Work Group Annual Report of Recommendations, Part 1”, in accordance with Second Substitute House Bill No. 1890; *“Analysis of Workforce Retention and Recruitment Related to One-time Assistance Payments; 2023 Provider Relief Workforce Stabilization Funding”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Accountable Communities of Health Alignment with Community Identified Health Needs”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Behavioral Health Consultation and Referral Services”*, in accordance with Second Substitute House Bill No. 1325; *“Alternative Response Team Grant Program Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Family Initiated Treatment (FIT); Increasing access to Behavioral Health Services for Minors”*, in accordance with Substitute House Bill No. 1800; *“Re-Entry Community Services Workgroup Final Report”*, in accordance with Engrossed Second Substitute Senate Bill No. 5304; *“PEBB Retiree Medicare Benefits”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Trueblood Diversion Program Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Updated Implementation Plan to Continue the Expansion of Civil Long-Term Inpatient Capacity”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Service Coordination Organization Performance Measures; Accountability Implementation Status”*, in accordance with Substitute Senate Bill No. 5147; *“Prescription Drug Affordability Board Annual Report 2023”*, in accordance with Second Substitute Senate Bill No. 5532; *“Legislative Update on Community Information Exchange (CIE); Leveraging Federal Funding Options for a CIE Program”*, in accordance with Engrossed Substitute Senate Bill No. 5187;

Health, Department of - *“Fruit and Vegetable Incentives Program”*, in accordance with Substitute House Bill No. 1587; *“Prescription Monitoring Program Integration”*, pursuant to 70.225 RCW; *“2022 Death with Dignity Report”*, pursuant to 70.245.150 RCW; *“Opioid Misuse Awareness Public Radio Campaign: Year 2-End of Project Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“COVID-19 Project Spanish Public Radio Campaign: End of Project Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“988 Usage Report”*, pursuant to 71.24.894 RCW; *“2023 International Medical Graduate Workgroup Report”*, pursuant to 18.71.470 RCW; *“Certification for Long-Term Care Workers Report”*, in accordance with Engrossed Substitute House Bill No. 1120 and pursuant to 18.88B.021 RCW;

Housing Finance Commission - *“Affordable Housing Cost Data Report 2023”*, in accordance with Substitute House Bill No. 1102; *“Affordable Housing Cost Data Report 2023 Attachment A”*, in accordance with Substitute House Bill No. 1102; *“Affordable Housing Cost Data Report 2023 Attachment B”*, in accordance with Substitute House Bill No. 1102;

Insurance Commissioner, Office of the - *“Mandated Health Benefits Report, 2024 Plan Year”*, pursuant to 48.43.715 RCW; *“Individual Market Health Plans Report, Plan Year 2024”*, in accordance with Engrossed Substitute Senate Bill No. 5526; *“Wakely Essential Health Benefit Benchmark Plan Update”*, in accordance with Substitute Senate Bill No. 5338; *“Direct Practices in Washington State Report”*, pursuant to 48.150.100 RCW; *“Healthcare Affordability Preliminary Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“WA OIC Preliminary Report on Health Care Affordability”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Audio-Only Telemedicine Report”*, in accordance with Engrossed Substitute House Bill No. 1196; *“2022 Balance Billing Protection Act Arbitration Proceedings Annual Report”* in accordance with Second Substitute House Bill No. 1065; *“Ground Ambulance Balance Billing Study Executive Summary”*, in accordance with Engrossed Second Substitute House Bill No. 1688; *“Ground Ambulance Balance Billing Study Report”*, in

accordance with Engrossed Second Substitute House Bill No. 1688; “2023 Medical Malpractice Annual Report”, pursuant to 48.140.050 RCW;

Labor and Industries, Department of - “Office of the Ombuds for Injured Workers of Self-Insured Employers 2023 Annual Report”, pursuant to 51.14.400 RCW; “2023 Chronic Opioids Report”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Subminimum Wage Certificates 2023 Annual Report”, in accordance with Engrossed Substitute Senate Bill No. 5284; “Work-Related Immediate Inpatient Hospitalizations 2023 Report”, pursuant to 51.14.400 RCW; “2023 Assessment of Apprenticeship RSI Hours Annual Report”, in accordance with Engrossed Second Substitute Senate Bill No. 5764; “Radiological Hazardous Waste Facility (RHWF) Presumption Claims 2023 Report”, in accordance with House Bill No. 1490 and pursuant to 51.32.187 RCW; “Workplace Rights Investigations 2023 Annual Report”, pursuant to 49.12.180 RCW; “Underground Economy Benchmark Fiscal Year 2023 Annual Report”, pursuant to 18.27.800 RCW; “Child Physical Abuse Exams 2023 Annual Report”, in accordance with Substitute Senate Bill No. 5814; “Registered Apprenticeship: Options for Incentivizing Apprentice Utilization and Policy Option Recommendations Addressing Apprenticeship Issues in Rural Communities 2023 Report”, in accordance with Engrossed Second Substitute Senate Bill No. 5600; “Aerospace Workforce Council: A Report and Recommendations Regarding Apprenticeship Utilization in the Aerospace Industry”, in accordance with Engrossed Senate Bill No. 6690; “Registered Apprenticeship Application Report”, in accordance with Senate Bill No. 5600;

Licensing, Department of - “SB 5022 - Providing Information to Students About Education Loans Report”, in accordance with Senate Bill No. 5022; “Military Service Member and Military Spouse Licensing Report”, pursuant to 73.04.150 RCW;

Liquor and Cannabis Board, Washington State - “Comprehensive Alcohol Delivery Policy Recommendations Report”, in accordance with Substitute Senate Bill No. 5448; “Preventing Use of Vapor and Tobacco Products by Minors”, in accordance with Engrossed Substitute Senate Bill No. 5365;

Minority and Women's Business Enterprises, Office of - “Annual Report, Fiscal Year 2022”, pursuant to 39.19.030 RCW;

Natural Resources, Department of - “2023 Finland Sustainable Forestry Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “Salmon Habitat Improvement Proviso 2023 Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “2023 Utility Wildland Fire Prevention Advisory Committee Report”, pursuant to 76.04.780 RCW; “Monthly Fire Suppression Report, April 2023”, in accordance with Engrossed Substitute Senate Bill No. 5092; “2023 Shared Stewardship Report”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Monthly Fire Suppression Report; January, February, March 2023”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Hardwood and Cedar Salvage Specialty Sales Report”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Monthly Fire Suppression Report; June 2023”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Monthly Fire Suppression Report; May 2023”, in accordance with Engrossed Substitute Senate Bill No. 5092; “Carbon Sequestration and Forests; Repositioning State Trust Lands Report”, in accordance with Engrossed Substitute Senate Bill No. 5200; “Carbon and Forest Management Work Group Progress Report”, in accordance with Engrossed Substitute Senate Bill No. 5200; “Statewide Kelp Forest and Eelgrass Meadow Health and Conservation Prioritization Plan”, pursuant to 79.135.440 RCW; “Statewide Kelp Forest and Eelgrass Meadow Health and Conservation Monitoring Plan”, pursuant to 79.135.440 RCW; “Monthly Fire Suppression Report, September 2023”, in accordance with Engrossed Substitute Senate Bill No. 5187; “Washington National Guard Facility Appraisal Report -

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Liberty Lake”, in accordance with Engrossed Substitute Senate Bill No. 5200; “Washington National Guard Facility Appraisal Report - Spokane”, in accordance with Engrossed Substitute Senate Bill No. 5200; “2023 Annual Wildfire Season Report”, in accordance with Engrossed Substitute Senate Bill No. 5187; “Monthly Fire Suppression Report; August 2023”, in accordance with Engrossed Substitute Senate Bill No. 5187; “Monthly Fire Suppression Report; July 2023”, in accordance with Engrossed Substitute Senate Bill No. 5187; “Lease Extension Legislative Report”, pursuant to 79.13.060 RCW;

Public Instruction, Office of the Superintendent of - “Supporting Survivors of Sexual Assault in K-12 Schools Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “UPDATE: Learning Assistance Program Growth Data Report”, pursuant to 28A.165.100 RCW; “UPDATE: Schools Implementing the Community Eligibility Provision Report”, pursuant to 28A.235.290 RCW; “UPDATE: Dyslexia Screenings and Interventions 2022 Report”, in accordance with Senate Bill No. 6162 and pursuant to 28A.320.250 RCW; “UPDATE: Washington Comprehensive Assessment Program (WCAP) 2022 Report”, pursuant to 28A.300.041 RCW; “Work-Integrated Learning Advisory Committee 2023 Report”, in accordance with Engrossed Second Substitute House Bill No. 1600 and pursuant to 28A.300.196 RCW; “Dual Credit Fee Subsidy Pilot 2023 Report”, in accordance with Engrossed Substitute Senate Bill No. 5693; “UPDATE: School District Supplemental Contracts 2022 Report”, pursuant to 28A.400.2001 RCW; “UPDATE: Temperance and Good Citizenship Day-Voter Registration 2023 Report”, pursuant to 28A.230.150 RCW; “180-Day Waivers for the 2022-23 School Year Report”, pursuant to 28A.300.760 RCW; “UPDATE: Truancy Data and Outcomes 2022 Report”, pursuant to 28A.225.151 RCW; “UPDATE: Highly Capable Students 2023 Report”, pursuant to 28A.185.050 RCW; “UPDATE: Social Emotional Learning in Washington State 2023 Report”, pursuant to 28A.300.477 RCW; “Equitable Access to Technology 2022 Report”, pursuant to 28A.650 RCW; “Placement of Students at Authorized Entities (Nonpublic Agencies - NPAs)”, pursuant to 28A.155.250 RCW; “UPDATE: Washington Comprehensive Assessment Program (WCAP) 2023 Report”, pursuant to 28A.300.041 RCW; “School Transportation Efficiency, 2023 Report”, pursuant to 28A.160.117 RCW; “UPDATE: Career & Technical Education Course Equivalencies 2023”, pursuant to 28A.300.236 RCW; “UPDATE: World Languages and the Washington State Seal of Bilingualism 2023 Report”, pursuant to 28A.300.575 RCW;

Puget Sound Partnership - “State of the Sound 2023 Report”, pursuant to 90.71.200 RCW;

Regulatory Innovation and Assistance, Office for - “Office for Regulatory Innovation and Assistance (ORIA) 2021-23 Biennial Performance Report Transmittal Letter”, pursuant to 43.42.010 RCW; “Office for Regulatory Innovation and Assistance (ORIA) 2021-23 Biennial Performance Report”, pursuant to 43.42.010 RCW;

Revenue, Department of - “Hydrogen Fuel Cell Electric Vehicles 2023 Report”, pursuant to 82.08.993 RCW; “Unclaimed Property Program Report 2023”, pursuant to 63.30.670 RCW; “2023 Report Payments in Lieu of Property Tax on Certain Public Utility District Broadband Infrastructure”, pursuant to 54.16.425 RCW; “State Agency Business Licensing Information Report 2023”, pursuant to 19.02.055 RCW; “State Agency Business Licensing Information Report 2023 Appendix”, pursuant to 19.02.055 RCW;

Secretary of State, Office of the - “House Bill 1835 Grant Report”, in accordance with House Bill No. 1835 and pursuant to 43.01.036 RCW;

Sex Offender Policy Board - “RCW 71.09: Changes to Discharge Planning and Less Restrictive Alternative Placements in the Community Report Transmittal Letter”, in accordance with Engrossed Second Substitute Senate Bill No. 5163 and pursuant

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to 71.09 RCW; “*RCW 71.09: Changes to Discharge Planning and Less Restrictive Alternative Placements in the Community Report*”, in accordance with Engrossed Second Substitute Senate Bill No. 5163 and pursuant to 71.09 RCW;

Sheriffs and Police Chiefs, Washington Association of - “*Sexual Assault Kit Initiative - 2023 Annual Report*”, pursuant to 36.28A.430 RCW; “*Denied Firearms Transaction Information 2023 Annual Report*”, pursuant to 36.28A.405 RCW; “*Registered Sex Offender and Kidnapping Offender Address and Residency Verification Grant Program 2023 Annual Report*”, pursuant to 36.28A.230 RCW; “*Body-Worn Camera Grant Program 2023 Annual Report*”, pursuant to 43.01.036 RCW; “*Therapeutic Interventions for Certain Criminal Justice System Involved Persons 2023 Annual Report*”, pursuant to 36.28A.450 RCW; “*Mental Health Field Response Teams 2023 Annual Report*”, pursuant to 36.28A.440 RCW; “*Status of Sexual Assault Kits Biannual Report*”, pursuant to 5.70.060 RCW;

Social & Health Services, Department of - “*Department Efforts to Reduce Violence in the State Hospitals*”, pursuant to 72.23.451 RCW; “*24/7 RN Exception in Nursing Facilities Report*”, in accordance with Engrossed Second Substitute Senate Bill No. 6515 and pursuant to 74.39A.275 RCW; “*Individual Provider Overtime Annual Expenditures Report*”, in accordance with Engrossed Substitute Senate Bill No. 6199; “*Biennial WorkFirst Spending Plan for Biennium 2023-2025 Report*”, pursuant to 74.39A.275 RCW; “*Washington State Plan to Address Alzheimer's Disease and Other Dementias 2023-2028 Report*”, pursuant to 43.20A.885 RCW; “*Community Respite and Stabilization Progress Report*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Caring for Individuals Under Department of Corrections Jurisdiction in Skilled Nursing Facilities Report*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Rainier School Footprint Reduction Report*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*WorkFirst Wage Progression Report - 2022 Third Quarter*”, pursuant to 74.08A.411 RCW; “*House Bill 1086 Implementation Final Report*”, in accordance with Engrossed Second Substitute House Bill No. 1086; “*Overpayment Project Report*”, pursuant to 74.39A.275 RCW; “*Forensic Admissions and Evaluations-Performance Targets 2022 Fourth Quarter (October 1, 2022-December 31, 2022)*”, in accordance with Substitute Senate Bill No. 6492; “*WorkFirst Expenditure Report for Quarter Ending March 2023*”, pursuant to 74.39A.275 RCW; “*Uniform Quality Assurance Metrics: Measuring Quality in Residential Settings Report*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*WorkFirst Maintenance of Effort and Work Participation Rate - 2022 Fourth Quarter*”, pursuant to 74.39A.275 RCW; “*Forensic Admissions and Evaluations-Performance Targets 2023 First Quarter (January 1, 2023-March 31, 2023)*”, pursuant to 74.39A.275 RCW; “*No-Paid Services Client Caseload Report*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Long-Term Services and Supports Agency Administrative Expenses Report*”, in accordance with Second Substitute House Bill No. 1087 and pursuant to 50B.04.030 RCW; “*Impacts of COVID-19 on Long-Term Services and Supports Report*”, in accordance with Engrossed Substitute House Bill No. 1120 and pursuant to 74.39A.275 RCW; “*Addressing Delays in Patient Discharge Report*”, in accordance with Engrossed Substitute Senate Bill No. 5187 and pursuant to 74.39A.275 RCW; “*WorkFirst Wage Progression Report - 2022 Fourth Quarter*”, pursuant to 74.08A.411 RCW; “*Fourteen Day Standard - 2023 Progress Report*”, pursuant to 71.05.365 RCW; “*Maximize Forensic Bed Capacity Report*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Special Commitment Center Specialized Equipment Report*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Clark County Residential Treatment Facility 2023 Status Report*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Child Support Schedule*

Workgroup Report”, pursuant to 74.39A.275 RCW; “*Expansion of the Basic Food Employment and Training (BFET) Program*”, pursuant to 74.04.535 RCW; “*Staffing Levels Compared to Allotments 2023 Annual Report*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Addressing Home Care Workforce Shortages: Allowing a Spouse or Registered Domestic Partner to Receive Payment for Providing Home Care Services to the Spouse or Domestic Partner*”, in accordance with Engrossed Second Substitute House Bill No. 1694; “*Predicting Referrals for Competency Evaluation*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Improving Patient and Staff Safety in State Hospitals - Status Report*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Eastern State Hospital Monthly Spending FY2023*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Western State Hospital Monthly Spending FY2023*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Locum Usage Financial Report FY2023*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Eastern State Hospital - City of Medical Lake Community Policing Program*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Adult Day Services*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*Long-Term Services and Supports (LTSS) Trust Commission 2023 & 2024 Recommendations Summary*”, pursuant to 50B.04.030 RCW; “*LTSS Trust Commission Recommendations Report*”, pursuant to 50B.04.030 RCW; “*WorkFirst Monitoring Report - SFY 2024 As of September 2023*”, pursuant to 74.39A.275 RCW;

State Legislative Labor Relations, Office of - “*Final Report to the Legislature*”, in accordance with Engrossed Substitute House Bill No. 2124;

Student Achievement Council - “*Establishing the Regional Challenge Grant (RCG) Report*”, pursuant to 28B.120.060 RCW; “*Supporting Students Experiencing Homelessness (SSEH) Pilot Program Report*”, in accordance with Second Substitute Senate Bill No. 5800; “*DreamAhead College Investment Plan Program Fees Report*”, pursuant to 28B.95 RCW; “*Washington 529 Plan DreamAhead Rollovers Report*”, pursuant to 28B.95 RCW; “*Contract for Professional Services Between the State of Washington, Washington Student Achievement Council, and Foundation For Tacoma Students*”, in accordance with Engrossed Substitute Senate Bill No. 5187 and pursuant to 43.01.036 RCW; “*Making the Case: A Policy Blueprint for Increasing Financial Aid Uptake*”, pursuant to 43.01.036 RCW; “*Regional Challenge Grant: Report on Use of General Fund Monies*”, in accordance with Engrossed Substitute Senate Bill No. 5187; “*DreamAhead College Investment Plan; Policy Goals, Objectives, and Performance Measures Update*”, pursuant to 28B.95.032 RCW; “*STEM Education Report Card Update*”, pursuant to 28A.188.040 RCW;

Traffic Safety Commission - “*Cooper Jones Active Transportation Safety Council 2023 Annual Report*”, pursuant to 43.59.156 RCW; “*Strategies and Technologies to Prevent and Respond to Wrong-Way Driving Crashes Report*”, in accordance with Engrossed Substitute House Bill No. 1125; “*Alcohol and Drug Impaired Driving Report*”, in accordance with Engrossed Substitute House Bill No. 1125;

Transportation, Department of - “*2023 Truck Parking Status Report*”, in accordance with Engrossed Substitute House Bill No. 1125; “*Gateway Program Surplus Property Fair Market Value Appraisal Report*”, in accordance with Engrossed Substitute House Bill No. 1125; “*I-5 Strategic Corridor Opportunities Report*”, in accordance with Engrossed Substitute House Bill No. 1125; “*Virtual Coordination Center (VCC) Proviso Report*”, in accordance with Engrossed Substitute House Bill No. 1125; “*Administrative Fund Transfers; 23-25 Quarter 1*”, in accordance with Engrossed Substitute House Bill No. 1125; “*Program Z Allotment Modifications Report*”, in accordance with Engrossed Substitute House Bill No. 1125;

“Program I Allotment Modifications Report”, in accordance with Engrossed Substitute House Bill No. 1125; *“Capital Projects Report - Quarter 1, 23-25 Biennium”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Fund Transfer Letter, December 2023”*, in accordance with Engrossed Substitute House Bill No. 1125; *“2023 Public Transportation Mobility Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Active Transportation Funding Programs Legislative Report - Update on Program and Project Status”*, in accordance with Engrossed Substitute House Bill No. 1125 and pursuant to 47.04.390 RCW; *“Joint Training and Recruitment Plan Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“2022 Summary of Public Transportation Report”*, in accordance with Engrossed Substitute House Bill No. 1125 and pursuant to 35.58.2796 RCW; *“Supplemental Freight Rail Investment Bank (FRIB) Project List”*, in accordance with Engrossed Substitute House Bill No. 1125 and pursuant to 47.76.240 RCW; *“Local Partner Cooperative Agreements Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Federal Grants Received for Fish Passage Barrier Projects Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“South Pierce Multimodal Connectivity Study Report”*, in accordance with Substitute Senate Bill No. 5165; *“2023 Clean Fuels Standard - State Transportation Investment Credit Revenue Generation Forecast Report”*, pursuant to 70A.535.060 RCW; *“Lower Snake River Dam Transportation Study Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Grant Application for Volkswagen Settlement Funding Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Public Health Associated with Homeless Encampments on Department Owned Rights of Way Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Washington-Oregon Bi-state Agreement Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“2023 Transit Integration Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“2023 PASS & Minority and Women’s Business Enterprise Support Services Program Report”*, in accordance with Engrossed Substitute House Bill No. 1125 and pursuant to 47.01.435 RCW; *“2022 Rail Fixed Guideway Public Transportation System Safety Report”*, pursuant to 81.104.115 RCW; *“SR 167 Master Plan - Planning and Environmental Linkages Study”*, in accordance with Engrossed Substitute Senate Bill No. 5825; *“Commercial Aviation Coordinating Commission Report to Legislative Transportation Committees”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“SR302 Victor Area Corridor Study; MP0 to MP7.7”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“I-5 Near-Term and Longer-Term HOV Lane Recommendations, Interim Report”*, in accordance with Substitute Senate Bill No. 5975; *“I-5 Master Plan, Interim Report”*, in accordance with Substitute Senate Bill No. 5975; *“Vehicle Miles Traveled (VMT) Targets - Final Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Cascadia Ultra-High-Speed Ground Transportation (UHSGT) Project, 2023 Legislative Update”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“US2 Westbound Trestle Status Report”*, in accordance with Substitute Senate Bill No. 5975; *“Move Ahead Washington Stormwater Retrofit Report, September 2023”*, in accordance with Substitute Senate Bill No. 5975; *“Tribal Transit Mobility Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“2023-2025 Tribal Transit Mobility Grant Program Prioritized Project List”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Washington-Oregon Bistate Agreement Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Amtrak Cascades Service Restoration Status Report - August 2023”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Tort Judgments and Settlements Pertaining to WSF and non-WSF Operations Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Treasurer’s Transfers for*

(Connecting Washington to Transportation Future Funding Program Account).”, pursuant to 47.01.480 RCW; *“Semi-Annual Practical Design Savings Report”*, pursuant to 47.01.480 RCW; *“Search for Foreign or Domestic Ferry for Washington State Ferries’ Anacortes - Sydney, B.C. Ferry Route”*, in accordance with Engrossed Substitute House Bill No. 1125; *“North Lewis County Industrial Access Transportation Study”*, in accordance with Substitute Senate Bill No. 5165; *“Statewide Culvert Remediation Plan Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Reducing Rural Roadway Departures Program Report”*, pursuant to 47.04.410 RCW; *“Toll Division Annual Report, FY 2023, (July 1, 2022 - June 30, 2023)”*, in accordance with Engrossed Substitute House Bill No. 1125; *“2021-2023 Low-Cost Enhancement Program Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Transportation Operations, 2021-23 Q3 Capital Projects”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Connecting Washington Programs with Benefits to Transit, Bicycle, and Pedestrian Elements, Fiscal Year 2023”*, in accordance with Engrossed Substitute House Bill No. 1125; *“2021-23 Pedestrian and Bicyclist Emergent Issues”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Ferries Division - Fiscal Year 2023 Performance Report”*, pursuant to 47.64.360 RCW;

University of Washington - *“Multimodal Transportation Account - State Appropriation Sidewalk Inventory and Accessibility Mapping Project Report”*, in accordance with Engrossed Substitute House Bill No. 1125; *“SB 5227 Annual Report”*, in accordance with Senate Bill No. 5227 and pursuant to 28B.10.145 RCW; *“ESHB 2327 Report”*, in accordance with Engrossed Substitute House Bill No. 2327; *“Washington State Academic RedShirt Program (STARS) Preliminary Report”*, in accordance with Engrossed Substitute House Bill No. 1109;

University of Washington Center for an Informed Public - *“Lessons From Finland - A Report on the University of Washington Center for an Informed Public’s Work Funded by the State of Washington Through the 2022 Supplemental State Budget”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

University of Washington, Evans School of Public Policy & Governance - *“Non-Motorized Boating Fatalities in Washington - December 2022”*, in accordance with House Bill No. 1750; *“Washington Paid Family and Medical Leave & Job Protection Preliminary Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187;

University of Washington, Paul G. Allen School of Computer Science & Engineering - *“Paul G. Allen School June Proviso Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092;

University of Washington, School of Social Work - *“Co-Response: An Essential Crisis Service, A Landscape Analysis Report”*, in accordance with Substitute Senate Bill No. 5644; *“Executive Summary of Co-Response: An Essential Crisis Service, A Landscape Analysis Report”*, in accordance with Substitute Senate Bill No. 5644;

Veterans Affairs, Department of - *“Veteran Suicide Prevention Community Based Grant Report”*, in accordance with Engrossed Second Substitute House Bill No. 1181; *“Growing Veterans Proviso Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Washington State Council of Presidents - *“Senate Bill 5022 Compliance Report”*, pursuant to 28B.10.285 RCW;

Washington State Patrol - *“Recruitment and Retention Activities Annual Report”*, in accordance with Substitute Senate Bill No. 5165; *“2023 Ignition Interlock Report”*, pursuant to 43.43.396 RCW; *“Drug Conviction Court Order Processing Backlog Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Toxicology Laboratory Construction Report - July 2023”*, in accordance with Engrossed Substitute

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Senate Bill No. 5693 and pursuant to 43.43.752 RCW; "*Rapid DNA Pilot Final Report*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Land Mobile Radio System Semi-Annual Report (January - June 2023)*", in accordance with Substitute Senate Bill No. 5165; "*Washington Background Check Advisory Board Annual Report 2023*", in accordance with Engrossed Second Substitute House Bill No. 2467; "*Washington Background Check Advisory Board Annual Report 2023*", in accordance with Engrossed Second Substitute House Bill No. 2467; "*State Fire Service Mobilization Plan Report - 2023*", pursuant to 43.43.965 RCW;

Washington State Supreme Court - "2022 Annual Interception Report", in accordance with House Bill No. 1023;

Washington State University - "Engineering Expansion at Washington State University", in accordance with Engrossed Substitute Senate Bill No. 5187; "*Addressing Sexual Misconduct at Postsecondary Educational Institutions Report*", pursuant to 28B.112.050 RCW;

Washington State University - The William D. Ruckelshaus Center - "2023 Apprenticeship and Higher Education Integrated Summary Report", in accordance with Engrossed Second Substitute Senate Bill No. 5764; "*Appendices A and B - 2023 Apprenticeship and Higher Education Integrated Summary Report*", in accordance with Engrossed Second Substitute Senate Bill No. 5764;

Washington State University Energy Program - "Wind Turbine Blade Recycling in Washington: A Feasibility Study", in accordance with Senate Bill No. 5287; "*Green Transportation Program November 2023 Update*", in accordance with Engrossed Substitute House Bill No. 1125; "*Dual-Use Solar Opportunities for Washington State Report*", in accordance with Engrossed Substitute Senate Bill No. 5092; "*Least-Conflict Solar Siting on the Columbia Plateau Report*", in accordance with Engrossed Substitute Senate Bill No. 5092;

Washington State University, Pacific Northwest National Laboratory and Center for Sustainable Infrastructure - "Increasing the Economic Value and Sustainability of Washington's Agriculture Sector Through Industrial Symbiosis Report", in accordance with Engrossed Substitute Senate Bill No. 5693;

Washington Technology Solutions - "Natural Hazard Mitigation Final Report Cover Memo", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Natural Hazard Mitigation Data Portal (GeoPortal 2.0) Report*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Annual Independent Recommendations on Oversight of IT Projects*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*Annual Independent Recommendations on Oversight of IT Projects Letter of Transmittal*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*Microsoft M365 Licensing Report 2023*", in accordance with Engrossed Substitute Senate Bill No. 5187; "*Microsoft M365 Licensing Report 2023 Letter of Transmittal*", in accordance with Engrossed Substitute Senate Bill No. 5187;

Western Washington University, Government Relations - "HOA-ADU Report from 2021-23 Operating Budget", in accordance with Engrossed Substitute Senate Bill No. 5187; "*Orientation Program Proposal for Washington College Grant Recipients Report*", in accordance with Engrossed Substitute Senate Bill No. 5187.

Copies of these reports are available from the Office of the Secretary of the Senate.

Sincerely,

/s/

Sarah Bannister

SECRETARY OF THE SENATE

MESSAGE FROM THE SECRETARY OF STATE

January 8, 2024

To the Honorable Members of the Washington State Senate
Legislative Building
Olympia, Washington

Pursuant to Article II, Section 1 of the Washington State Constitution and RCW 29A.72.230, I hereby attach a true and correct copy of initiatives, provisional certification letters, ballot title wording, and summaries for the following Initiatives to the Legislature:

Initiative to the Legislature No. 2081
Initiative to the Legislature No. 2109
Initiative to the Legislature No. 2111
Initiative to the Legislature No. 2113
Initiative to the Legislature No. 2117
Initiative to the Legislature No. 2124

Sincerely,

/s/

Steve Hobbs

Secretary of State

MESSAGE FROM THE GOVERNOR

January 2, 2024

To the Honorable Lt. Governor Denny Heck, President of the Senate,
And the Senate of the State of Washington

Ladies and Gentlemen:

In compliance with the provisions of Article III, Section 11, of the Constitution of the state of Washington, the Governor hereby submits his report of each case of reprieve, commutation, or pardon that he has granted since adjournment of the 2023 Regular Session of the 68th Legislature, copies of which are attached.

Sincerely,

/s/

Kathryn Leathers

General Counsel

UNCONDITIONAL COMMUTATION OF
JOSEPHINE WOLF

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-02037-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
TINA ALANIZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-01505-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
FRANKLIN PALOMO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 16-1-01368-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
TARYN PORTER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

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judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case Nos. 17-1-00101-8 and 18-1-00463-13; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of February, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CODYSMITH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 16-1-01060-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to

immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of February, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CORY HUGHES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Lewis County Superior Court, Case No. 20-1-00553-21; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack

Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
ZACHARY BRANDT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Franklin County Superior Court, Case No. 19-1-50636-11; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
BENJAMIN CLOUSE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-00651-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
MARY ANN ROJAS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 19-1-00390-13; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
BENJAMIN GREENWALT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 13-1-00701-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
SI ULRICH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 16-1-01586-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
KARYNA LYAKH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 18-1-02051-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of March, A.D., two thousand and twenty-three.



/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
NICHOLAS RITCIDE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 19-1-00311-13; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of March, A.D., two thousand and twenty-three.



/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
ADAM DARNALL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case Nos. 13-1-00577-1 and 15-1-00465-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
MARTIN PATINO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-02256-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

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no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RYAN BROWN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-01763-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 14th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF BRIAN MCKINNEY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 19-1-00307-13; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 14th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CAROLINE EARNEST

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-01798-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 14th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
MARCUS TINSLEY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 15-1-03649-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1); in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant

to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
SAMANTHA MERRYMAN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Cowlitz County Superior Court, Case No. 16-1-01606-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to

immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

FIRST DAY, JANUARY 8, 2024

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
ASHLEY HILL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-00124-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor



/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
ZACHARY HEINY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-00790-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor



/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
CRISTAL NAVARRO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-02328-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
WILLIAM TAYLOR

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 14-1-01646-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
TERRANCE VOLKER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 08-1-01436-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.40 I 3, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
BILLY DAVIS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.40 I 3(1), in Thurston County Superior Court, Case No. 03-1-00498-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

FIRST DAY, JANUARY 8, 2024

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
IAN CLARK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Mason County Superior Court, Case No. 16-1-00349-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
TOBY KECK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 16-1-02016-39 and 17-1-00191-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
DANIEL PAULSEN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-01147-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
THOMAS LYNCH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 14-1-02520-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
MOSES DELEON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 13-1-00963-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
JUAN TORRES

To All to Whom These Presents Shall Come, Greetings:

FIRST DAY, JANUARY 8, 2024

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 13-1-00020-8, 16-1-01423-39, and 18-1-00057-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of May, A.D., two thousand and twenty-three.



/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
FRANIZCO PEET

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 17-1-00037-39 and 20-1-00042-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
CHANEY PIERCE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-00049-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
GREGORY ELWELL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of

Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Skamania County Superior Court, Case No. 14-1-00058-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
RODNEY VAN HOYT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-01535-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due

process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
SHERMAN ROWLAND

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 12-1-00515-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner

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from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
JONATHAN MEDINA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-00247-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
WALTER VENEGAS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-00717-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
DANIEL MORA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-00127-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
ANDREW PHILLIPS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-02209-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
AARON AYALA-CARRILLO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-02135-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
RONALD QUISMUNDO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 09-1-00566-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due

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process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
MICHAEL GONZALEZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-02300-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner

from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
MICHAEL DAVIS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Cowlitz County Superior Court, Case No. 17-1-00863-08; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
MICHAEL HELMS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 18-1-02339-39 and 18-1-02412-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
MICHAEL NELSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 20-1-01420-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
SCOTT FRANKLIN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 10-1-00091-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

FIRST DAY, JANUARY 8, 2024

/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
GREGORY EWING

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 15-1-00720-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor



/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
CODY SHIPLEY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 16-1-02851-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due

process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor



/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
WESLEY CONKLE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 15-1-01315-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner

from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of August, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
REDEAGLE MILLER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 11-1-01901-8 and Chelan County Superior Court, Case No. 13-1-00570-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of August, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
JUAN ALMAGUER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 21-1-00226-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of August, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
ERIC CLEMENS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 14-1-00605-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

FIRST DAY, JANUARY 8, 2024

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of August, A.D., two thousand and twenty-three.



/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
ZEUS GUTIERREZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case Nos. 15-1-00452-6, 17-1-00674-6, and 17-1-01078-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of September, A.D., two thousand and twenty-three.



/s/
Jay Inslee

Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
SHAWN GLASGOW

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 18-1-02316-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of September, A.D., two thousand and twenty-three.



/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
NICHOLAS PALMER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 18-1-02287-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due

process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
JOSE NARANJO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-01866-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner

from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
CHARLES DAVID MILLER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-00614-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
SUZANNE MENDOZA

To All to Whom These Presents Shall Come, Greetings:

FIRST DAY, JANUARY 8, 2024

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 13-1-00407-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF CAMERON BERGE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 15-1-01717-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF JESUS LEDESMA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 18-1-00066-39 and 18-1-00882-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
REGINA CHRISTENBERRY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Com1, Case No. 17-1-01814-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
WILLIAM SIMMONS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-00888-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due

process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.
/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
STANLEY CONKLIN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Mason County Superior Court, Case No. 17-1-00319-23; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner

FIRST DAY, JANUARY 8, 2024

from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
NICOLAS ESSEX

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00095-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
JOSHUA MURRAY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Klickitat County Superior Court, Case No. 19-1-00035-20; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
BILLY STEVENS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 13-1-00346-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
HOMERO BALDERAS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-02275-39 and Lewis County Superior Court,

Case No. 19-1-00772-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/

Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
FRANCISCO DOMINGUEZ REYES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-01814-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
AMBER HAWKINS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-01229-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d

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521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no com1 has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF REGINALD RIGGINS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 17-1-01725-8 and Yakima County Superior Court, Case No. 18-1-02149-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF TAMMY PIKE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 15-1-00312-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s)



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF JAMES STEWART

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 07-1-02129-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of October, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
KIRK MOREY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 16-1-02575-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under: RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of October, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
ERNESTO GOMEZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00570-13; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of October, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
ALKAREEM SHADEED

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 16-1-00599-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of October, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
STEVEN RAYBELL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 16-1-02794-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of October, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
ANTHONY JOHNSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 15-1-00475-5; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of October, A.D., two thousand and twenty-three.



/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
MICHELLE FLEMING

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-01617-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 13th day of November, A.D., two thousand and twenty-three.



/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF
JOHN MARION

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-01258-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of November, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
ROBBY SLOCKISH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-01568-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

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no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of November, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
JUAN GARCIA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Kittitas County Superior Court, Case No. 18-1-00372-19; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of November, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
FREDDY OZUNA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-02225-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of December, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
SAMANTHA PLUMLEE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 17-1-02367-39 and 19-1-00987-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of December, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
CARLOSGUMATAOTAO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case Nos. 18-1-00368-34 and 18-1-00843-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of December, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

UNCONDITIONAL COMMUTATION OF
KELLY BALLE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-00500-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of December, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

FIRST DAY, JANUARY 8, 2024

SECOND AMENDED CONDITIONAL COMMUTATION OF
EDWARD ALLEN STEWARD

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2006, a jury found Edward Allen Steward guilty of FIRST DEGREE KIDNAPPING and SECOND DEGREE ASSAULT in Clallam County Superior Court Cause No. 06-1-00395-0. The convictions followed events in which Mr. Steward, along with two other men, held a man at gunpoint and later held him in their car, forcing the man to make arrangements for Mr. Steward to collect on a drug debt.

WHEREAS, following these events, Mr. Steward's two co-defendants each took plea deals to serve 48 months in prison. Mr. Steward rejected the same plea deal, and at trial, his two co-defendants testified against him. A jury found him guilty, and the court sentenced him to 48 months on the underlying crimes and an additional 19 years on mandatory enhancements.

WHEREAS, in September 2018, the Clemency and Pardons Board reviewed Mr. Steward's clemency petition. The testimony before the Board was that Mr. Steward showed remorse for his past conduct. He had also been accepted into the FareStart program.

WHEREAS, the Clallam County Prosecuting Attorney did not object to Mr. Steward's petition. Mr. Steward's sentencing judge stated that he believed that Mr. Steward's sentence was excessive, and had he had the discretion, he would have sentenced Mr. Steward to a term that more closely mirrored that of his co-defendants.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Steward's sentence. In March 2019, Mr. Steward received a Conditional Commutation.

WHEREAS, in July 2021, following that Conditional Commutation and while on community supervision, Mr. Steward was found to have possessed and consumed alcohol and drugs, and he associated with known drug users and sellers, violating the terms of his Conditional Commutation. On August 9, 2021, I issued an Amended Conditional Commutation to allow Mr. Steward another opportunity to successfully transition to the community.

WHEREAS, in July 2022, following that Amended Conditional Commutation and while on community supervision, Mr. Steward was found to have consumed drugs and alcohol-behavior that violated the terms of his Amended Conditional Commutation.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby AMEND the August 9, 2021, AMENDED CONDITIONAL COMMUTATION of Edward Allen Steward's 2006 sentence for his FIRST DEGREE KIDNAPPING and SECOND DEGREE ASSAULT convictions in Clallam County Superior Court Cause No. 06-1-00395-0, conditioned on his written agreement to comply with all terms outlined by DOC, which shall include a new in-custody transition plan, to be completed no later than May 1, 2024. During this in-custody transition period, DOC shall place Mr. Steward directly into a DOC-approved inpatient substance abuse program, where he will be subject to GPS monitoring.

There, Mr. Steward must complete a substance assessment and all inpatient recommendations.

Following the in-custody portion of this transition plan, and upon approval of Mr. Steward's release address, DOC shall release Mr. Steward to begin a new 36-month term of DOC community supervision. Within 30 days of his return to the community, Mr. Steward must continue to follow all assessments and recommendations from his substance abuse program. He must also resume mental health treatments and/or cooccurring treatments while in the community unless a mental health professional recommends otherwise and DOC agrees. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period of community supervision, Mr. Steward must also comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Steward shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, or social media accounts.
3. Be subject to GPS monitoring during the first 90 days of his release to community supervision.
4. Obtain DOC-approved employment or enroll in DOC-approved educational or vocational programming and report it to DOC along with changes in status.
5. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
7. Be subject to DOC curfews.
8. Comply with all applicable judgment and sentence orders.
9. Not operate a motor vehicle without a valid driver's license and registration.
10. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
11. Not possess in the home, or use, alcohol or controlled substances, including marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
12. Identify and attend regular sobriety support group meetings as directed by DOC.
13. Not visit bars, taverns, night clubs, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
14. Be subject to regular drug and alcohol testing as directed by DOC.
15. Not associate with known criminals or gang members, as directed by DOC.
16. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Steward shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Second Amended Conditional Commutation as provided below. If Mr. Steward is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Steward to perform affirmative acts deemed

appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Steward if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Steward violates any of the conditions of this Second Amended Conditional Commutation, as determined by the Governor, this Second Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Steward will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Second Amended Conditional Commutation may then be mailed to the most recent address Mr. Steward has provided to the Office of the Governor or, if Mr. Steward is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Steward submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Second Amended Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Steward an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Second Amended Conditional Commutation is granted.

The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Steward has violated the terms of this Second Amended Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Steward is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Second Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Steward will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Steward may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Second Amended Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Second Amended Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Steward may abscond if not detained. If detained, Mr. Steward will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 10th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

AMENDED CONDITIONAL COMMUTATION OF DANIEL J. TASH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1991, a jury found Daniel J. Tash guilty of AGGRAVATED MURDER in Kitsap County Superior Court Cause No. 91-1-00148-9. This conviction followed events in which Mr. Tash, while intoxicated, entered a drug manufacturer's home to collect on a debt. Finding the drug manufacturer asleep, Tash robbed his home, but when the man later awoke, a panicked Tash used a nearby gun to shoot him dead.

WHEREAS, for this conviction, Mr. Tash was sentenced to life in prison without the possibility of parole, and he has served roughly 30 years.

WHEREAS, in December 2018, the Clemency and Pardons Board reviewed Mr. Tash's clemency petition. The testimony before the Board was that Mr. Tash married while incarcerated over 20 years ago, and if released, planned to join his wife in her home. He also maintained his sobriety during his term of custody.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Tash's sentence. In 2021, Mr. Tash received a Conditional Commutation.

WHEREAS, one of the conditions of his Conditional Commutation prohibited Mr. Tash from possessing or using controlled substances without a valid physician's prescription and the Department of Correction's (DOC) approval.

WHEREAS, on August 1, 2023, following that Conditional Commutation and while on community supervision, Mr. Tash was contacted by his Community Corrections Officer (CCO) and was found to be in possession of what appeared to be drug paraphernalia and methamphetamine, a violation of the terms of his Conditional Commutation that could result in the revocation of his Conditional Commutation. Mr. Tash initially denied that the paraphernalia and drugs were his, but later told his CCO that he would test positive for methamphetamine if he was tested. A swift and certain response resulted in a three-day jail sentence.

WHEREAS, on August 17, 2023, following that Conditional Commutation and while on community supervision, Mr. Tash submitted a urinalysis and tested abnormally high for methamphetamine (over nine times the testable amount), a violation of the terms of his Conditional Commutation that could result in the revocation of his Conditional Commutation. A hearing was held, and Mr. Tash denied the violation and pleaded not guilty. A hearing officer found him guilty and imposed a 15-day sentence, to be served at the Chehalis County Jail. At the hearing, Mr. Tash indicated he was not willing to engage in chemical dependency treatment but would be willing to attend Narcotics Anonymous meetings.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby AMEND the March 11, 2021, CONDITIONAL COMMUTATION of Daniel J. Tash's 1991 sentence for his AGGRAVATED MURDER conviction in Kitsap County Superior Court Cause No. 91-1-00148-9, conditioned on his written agreement to comply with all terms outlined by DOC, which shall include a new in-custody treatment plan, to successfully complete inpatient substance abuse programming and all required recommendations.

Upon release from custody of the Chehalis County Jail, Mr. Tash will remain in the custody of the DOC. Upon his release from the custody of the Chehalis County Jail into the custody of the DOC, the DOC shall place Mr. Tash into a DOC-approved inpatient substance abuse program. Mr. Tash, through the DOC, must obtain a drug and alcohol assessment. If the assessment recommends treatment, Mr. Tash must enter an inpatient drug

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and/or alcohol program expeditiously after receiving his assessment. Upon successfully completing any recommended treatment, Mr. Tash's return to community supervision will be taken under consideration again along with recommendations from the DOC regarding terms of supervision. While in the custody of the DOC, Mr. Tash must obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.

ADDITIONALLY PROVIDED, that while I am deeply disappointed in Mr. Tash's recent choices and actions, and the faith and trust I placed in him has been violated, I believe that drug abuse and addiction have potential for recovery. While these choices are his and his alone, I sincerely hope Mr. Tash chooses recovery and abstinence. However, in the event Mr. Tash is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, or if Mr. Tash fails to successfully complete any recommended treatment, this Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Tash will be detained in any such facility that the DOC Secretary deems appropriate for the remainder of his sentence.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of September, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

AMENDED CONDITIONAL COMMUTATION OF
ALYSSA CYRENE KNIGHT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, Alyssa Cyrene Knight was convicted of SECOND DEGREE MURDER, in Spokane County Superior Court, Cause No. 03-1-03448-8, and sentenced to 270 months in prison, after she and her accomplices conspired to rob a man, then during the robbery, one of the accomplices shot and killed the victim.

WHEREAS, Ms. Knight served over 16 years on her sentence, and two of her other non-shooter conspirators received sentences of less than seven years on the same offense and were released from incarceration after less than four years.

WHEREAS, at its June 2019 hearing, the Clemency and Pardons Board reviewed Ms. Knight's clemency petition, which included several letters of support from family and other community supporters. The testimony before the Board was that upon release from custody, Ms. Knight planned to continue her college education. She had been accepted to several undergraduate programs, including the University of Washington. She also had a strong familial support network that would provide housing and other support.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the governor commute Ms. Knight's sentence. In January 2021, Ms. Knight received a conditional commutation.

WHEREAS, one of the conditions of her Conditional Commutation prohibits Ms. Knight from associating with known

felons, gang members, or their associates as determined by the Department of Correction (DOC).

WHEREAS, Ms. Knight has graduated with a bachelor's degree from the University of Washington and engaged in pro-social work. She has requested that I modify the above-referenced condition of release so that she may enter DOC facilities in connection with her employment. DOC has reviewed Ms. Knight's progress during her transition into the community and is supportive of this request.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, and, in light of the foregoing, I have determined that the best interests of justice

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby AMEND the January 15, 2021 CONDITIONAL COMMUTATION OF Alyssa Cyrene Knight's sentence for her SECOND DEGREE MURDER conviction in Spokane County Superior Court, Cause No. 03-1-03448-8 in 2004, conditioned on her agreement to comply with all terms outlined in this Amended Commutation. Ms. Knight may interact with incarcerated individuals and formerly incarcerated individuals when such interaction is required as a condition of employment.

During her time on community supervision, which is scheduled to end in early 2024, Ms. Knight must continue to comply with any conditions set by DOC. These conditions shall include, but not be limited to the following:

Ms. Knight shall:

1. Obey all laws and follow standard DOC conditions for supervision or other DOC orders or directives;
2. Abide by the terms of her judgment and sentence order;
3. Report regularly to her community connections officer as directed by DOC;
4. Participate in DOC-approved education, employment, and/or community service programs as directed by DOC;
5. Complete a mental health evaluation and recommended treatment while in the community, as directed by DOC;
6. Complete a chemical dependency assessment and follow any recommended treatment while in the community, as directed by DOC;
7. Abstain from using or possessing alcohol and drugs/paraphernalia, including medications, marijuana, spice, or other mind and mood altering substances, unless prescribed by a licensed medical doctor;
8. Submit to regular and/or random urinalysis and breathalyzer testing as directed by DOC;
9. Not possess, receive, or transport a firearm, deadly weapon, or ammunition as defined and determined by DOC;
10. Receive prior approval from DOC for living arrangements, residence locations, and residence location changes;
11. Allow DOC to conduct home, employment, and stakeholder visits as DOC deems appropriate, including inspection of common places and places to which she has access;
12. Remain within a geographic county of approved residence unless granted DOC permission to travel outside county of residence;
13. Not visit geographic areas or certain classes of business establishments as determined by DOC, and not associate with known felons or, gang members or their associates as determined by DOC unless associating with such persons is required as a condition of employment. I expressly authorize Ms. Knight to enter DOC and other correctional facilities, and to associate with known felons, gang members, or their associates, if doing so is a requirement of her employment.
14. Report contact with law enforcement to DOC within 24

hours of occurrence;

PROVIDED, that Ms. Knight shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of her community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Amended Conditional Commutation as provided below. If Ms. Knight is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Ms. Knight to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Ms. Knight if she violates a condition.

ADDITIONALLY PROVIDED, that in the event Ms. Knight violates any of the conditions of this Amended Conditional Commutation, as determined by the governor, this Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Ms. Knight will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the governor's intent to review the alleged violations and revoke or amend the Conditional Commutation will then be mailed to the most recent address Ms. Knight has provided to the Office of the governor or, if Ms. Knight is in custody, to her place of detention. If within 14 calendar days of the mailing of the notice, Ms. Knight submits a sworn statement made under penalty of perjury that she has, in fact, complied with all conditions of this Amended Conditional Commutation, the governor shall appoint a hearing officer. The hearing officer will provide Ms. Knight an opportunity to be heard and to present witnesses and documentary evidence that she has met all conditions upon which the Amended Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the governor for the governor's final and conclusive determination on whether Ms. Knight has violated the conditions of this Amended Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Ms. Knight is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Ms. Knight will be immediately returned to any such facility that the Secretary of the DOC deems appropriate.

ADDITIONALLY PROVIDED, that Ms. Knight may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Amended Conditional Commutation has been violated, if the governor determines there are reasonable grounds to believe she has violated the above conditions of this Amended Conditional Commutation, reason to be concerned that she would pose a risk to any person or to the community, or that there is a possibility that Ms. Knight may abscond if not detained. If detained, Ms. Knight will be provided a preliminary hearing, as promptly as convenient after a test, to determine whether there are reasonable grounds to believe she has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of October, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor



/s/

Amanda Doyle
Secretary of State Chief of Staff

AMENDED CONDITIONAL COMMUTATION OF
ROGELIO VIVANCO VASQUEZ, JR.

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1999, a jury found Rogelio Vivanco Vasquez, Jr. guilty of two counts of SECOND DEGREE ASSAULT WITH A DEADLY WEAPON, two counts of FIRST DEGREE ATTEMPTED ROBBERY, two counts of FIRST DEGREE ROBBERY, two counts of FIRST DEGREE BURGLARY, and one count each of FIREARM THEFT, FIRST DEGREE UNLAWFUL FIREARM POSSESSION, SECOND DEGREE ESCAPE, and ATTEMPT TO ELUDE in Island County Superior Court, Cause No. 98-1-00160-8. These convictions followed events in which Mr. Vasquez, while under the influence of drugs, broke free of his handcuffs during a police transport and attacked his transporting officer, stole his weapon, and tried to steal his patrol car before fleeing on foot. He then broke into two residential homes, physically assaulted residents and threatened others at gunpoint. He eventually stole an automobile and led law enforcement on a high-speed chase.

WHEREAS, Mr. Vasquez was sentenced to over 46 years in prison on these convictions, and he has served over 22 years. His earliest earned release date is 2040.

WHEREAS, in June 2021, the Clemency and Pardons Board reviewed Mr. Vasquez' clemency petition. The testimony before the Board was that Mr. Vasquez started using drugs at age 12, but since June 2006, he has maintained his sobriety. In custody, Mr. Vasquez earned his GED and is halfway to an associate's degree. Upon release, he has employment opportunities and housing options awaiting him.

WHEREAS, Mr. Vasquez' clemency petition was accompanied by the support of the Island County Prosecuting Attorney's Office.

WHEREAS, the Clemency and Pardons Board unanimously voted in June 2021 to recommend that the Governor commute Mr. Vasquez' sentence. In making this recommendation, the Board cited Mr. Vasquez' demonstrated rehabilitation and sobriety, the prosecutor's passionate and persuasive support, and his lengthy sentence for non-homicide offenses.

WHEREAS, in August 2021, after reviewing all pertinent facts and circumstances surrounding this matter, I determined that the best interests of justice would be served by granting Mr.

Vasquez a conditional commutation.

WHEREAS, on August 29, 2023, Mr. Vasquez was arrested for using a controlled substance (Cocaine), on and before August 29, 2023, and for failing to report to the Department of Corrections on or about August 28, 2023, as directed. A "swift and certain" 3-day sanction was imposed, after which he was released from the Monroe Correctional Complex.

WHEREAS, on October 4, 2023, Mr. Vasquez reported to the Mount Vernon Field Office as directed. He provided his community corrections officer (CCO) with a urine sample, which tested positive for Cocaine both in the office and later after lab testing. Mr. Vasquez also signed a "drug/alcohol use admission" statement, indicating he used Cocaine on or about September 30 due to his [drug] addiction. In addition to admitting he used Cocaine on or about September 30, 2023, he also told his CCO that there would likely be drug paraphernalia in the car that he drove to the CCO's office. A spoon covered in white residue was found in the trunk of Mr. Vasquez' car, and the white substance field-tested positive for Cocaine.

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WHEREAS, on October 5, 2023, Mr. Vasquez was arrested by his CCO for using and possessing a controlled substance (Cocaine) again, and for possessing drug paraphernalia.

WHEREAS, following a hearing on October 17, 2023, Mr. Vasquez was found guilty of using a controlled substance (Cocaine) on or about September 30, 2023, possessing a controlled substance (Cocaine) on or about October 4, 2023, and possessing drug paraphernalia on or about October 4, 2023.

WHEREAS, each one of these violations alone is sufficient grounds to revoke the conditional commutation I granted him in 2021. Notwithstanding the understandable recommendation of the hearings officer that I revoke Mr. Vasquez' commutation and return him to prison for the remainder of his sentence, I must balance the need to hold people accountable for their actions against the goal of helping people overcome their drug addictions and become successful members of our communities.

WHEREAS, after further reviewing all pertinent facts and circumstances surrounding this matter in light of recent facts, I determined that the best interests of justice would be served by this action and amended conditional commutation.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby AMEND the August 31, 2021, CONDITIONAL COMMUTATION of Rogelio V. Vasquez' 1999 sentence for his two counts of FIRST DEGREE ATTEMPTED ROBBERY, two counts of FIRST DEGREE ROBBERY, two counts of FIRST DEGREE BURGLARY, and one count each of FIREARM THEFT, FIRST DEGREE UNLAWFUL FIREARM POSSESSION, SECOND DEGREE ESCAPE, and ATTEMPT TO ELUDE in Island County Superior Court, Cause No. 98-1-00160-8, conditioned on his written agreement to comply with all terms outlined by DOC, which shall include a new in-custody treatment plan, to successfully complete inpatient substance abuse programming and all required recommendations.

Upon release from custody of the South Correctional Entity ("SCORE jail"), Mr. Vasquez will remain in the custody of the DOC. Upon his release from the custody of the SCORE jail into the custody of the DOC, the DOC shall place Mr. Vasquez into a DOC-approved in-custody inpatient substance abuse program. Mr. Vasquez, through the DOC, must obtain a drug and alcohol assessment. If the assessment recommends treatment, Mr. Vasquez must complete an in-custody substance abuse treatment program expeditiously after receiving his assessment. Upon successfully completing any recommended in custody treatment, Mr. Vasquez's return to community supervision will be taken under consideration again along with recommendations from the DOC regarding terms of supervision. While in the custody of the DOC, Mr. Vasquez must obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.

ADDITIONALLY PROVIDED, I am deeply disappointed in Mr. Vasquez's recent choices and actions, and the faith and trust I placed in him has been violated - not once, but twice. However, I believe that drug abuse and addiction have potential for recovery. I sincerely hope Mr. Vasquez chooses recovery and abstinence. His choices and his actions will determine his future. However, in the event Mr. Vasquez is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, or if Mr. Vasquez fails to successfully complete any recommended treatment, this Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Vasquez will be detained in any such facility that the DOC Secretary deems appropriate for the remainder of his sentence.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of December, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Kevin McMahan
Assistant Secretary of State

CONDITIONAL COMMUTATION OF HENRY GRISBY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1978, a jury found Henry Grisby guilty of five counts of FIRST DEGREE AGGRAVATED MURDER and one count of FIRST DEGREE ASSAULT in King County Superior Court Cause No. 85192. This conviction followed events in which Mr. Grisby and his co-defendant visited the home of associates. The co-defendants brought into the home at least one firearm. There, a heated argument ensued, and gunshots eventually left five victims dead and another wounded.

WHEREAS, Mr. Grisby, now an octogenarian, has served over 44 years on his life sentence. He has never received a violent infraction during his lengthy incarceration. He is classified as a low-risk to reoffend.

WHEREAS, in December 2022, the Clemency and Pardons Board reviewed Mr. Grisby's clemency petition. The testimony before the Board stated that Mr. Grisby has maintained his sobriety for several years and that he currently suffers from chronic health issues. He has built a strong support network while incarcerated, serving as a mentor to others; and, he has a family that will provide him support as he transitions back to the community.

WHEREAS, the deputy prosecuting attorney who tried Mr. Grisby on these charges now supports his clemency, acknowledging that the manner in which the case was tried may have unfairly prejudiced Mr. Grisby.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Grisby's sentence. In making this recommendation, the Board cited Mr. Grisby's advanced age, his maturation and rehabilitation over the years, and the testimony of the prosecutor who tried the case who now supports clemency.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Henry Grisby's 1978 sentence on five counts of FIRST DEGREE AGGRAVATED MURDER and one count of FIRST DEGREE ASSAULT in King County Superior Court Cause No. 85192, conditioned on his written agreement to comply with all terms outlined by the Department of Corrections (DOC) in the below community transition plan. Under this plan, DOC shall have the authority to release Mr. Grisby from custody no later than 120 days from the date of this order, contingent on DOC approving his offender release plan and completing all

applicable statutory notifications. Following his release from custody, Mr. Grisby shall serve 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in custody and under community supervision, Mr. Grisby must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Grisby shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be available for regular contact with DOC as directed, and consent to DOC home visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common living spaces, or social media accounts.
4. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
5. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
6. Remain in, or out of, a given geographical area as directed by DOC.
7. Not operate a motor vehicle without a valid driver's license and registration.
8. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
9. Not possess in the home, or use, controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
10. Be subject to regular drug and alcohol testing, as directed by DOC.
11. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.

PROVIDED, that Mr. Grisby shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision.

Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Grisby is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Grisby to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Grisby if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Grisby violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Grisby will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Grisby has provided to the Office of the Governor or, if Mr. Grisby is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Grisby submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Grisby an opportunity to be heard

and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Grisby has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Grisby is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the Governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Grisby will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Grisby may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Grisby may abscond if not detained. If detained, Mr. Grisby will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of March, A.D., two thousand and twenty-three.

/s/
Jay Insole
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

CONDITIONAL COMMUTATION OF
MINVILUZ DULANO MACAS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1989, a jury found Minviluz Dulano Macas guilty of three counts of AGGRAVATED FIRST DEGREE MURDER, in King County Superior Court, Cause No. 89-1-01251-7, on the theory that she set her own house on fire, and in the process killed her husband and two children, who were asleep inside.

WHEREAS, a court sentenced Ms. Macas to life in prison without the possibility of parole. She has served over 33 years on her sentence.

WHEREAS, in her over three decades in prison, Ms. Macas has never received a major infraction.

WHEREAS, Ms. Macas is now 77 years old. She has an ulcer, osteoporosis, high blood pressure, and arthritis. She is classified as a low risk to reoffend.

WHEREAS, the King County Prosecutor's Office acknowledges that, given Ms. Macas' advanced age and lack of infraction history, she is a candidate for a compassionate release from custody.

WHEREAS, over two hearings-in December 2022 and February 2023-the Clemency and Pardons Board reviewed Ms. Macas' clemency petition. The testimony before the Board was that Ms. Macas lived in a physically and emotionally abusive relationship with her much older husband, who was experiencing

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dementia at the time of his death. She has maintained her innocence for over 30 years. Upon release, Ms. Macas has a home and support network awaiting her, as well as employment offers.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the governor commute Ms. Macas' sentence. The Board cited Ms. Macas' advanced age and classification as a low-risk to reoffend, the length of time she has spent in prison without any major infractions, and how she has lived in service to others during her incarceration, as well as her strong community support network. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Minviluz Dulano Macas' sentence involving her convictions on three counts of AGGRAVATED FIRST DEGREE MURDER, in King County Superior Court, Cause No. 89-1-01251-7, conditioned on her agreement to comply with all terms outlined by the Department of Corrections (DOC) in a transition plan. Under this transition plan, DOC shall have the authority to release Ms. Macas from custody no later than October 1, 2023, after approval of her release plan and completion of all statutorily required notifications. Following her release from custody, Ms. Macas shall serve 36 months of community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During her time in custody and on community supervision, Ms. Macas must comply with any conditions set by DOC. These conditions shall include, but not be limited to the following:

Ms. Macas shall:

1. Obey all laws and follow standard DOC conditions for supervision and other DOC orders, instructions, or directives;
2. Abide by the terms of her judgment and sentence order;
3. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC;
4. Abstain from using or possessing alcohol and controlled substances/paraphernalia, including medications, marijuana, spice, or other mind and mood altering substances, unless prescribed by a licensed medical doctor;
5. Submit to regular and/or random urinalysis and breathalyzer testing as directed by DOC;
6. Not possess, receive, or transport a firearm, explosive, dangerous weapon, or ammunition as defined and determined by DOC;
7. Receive prior approval from DOC for living arrangements, residence locations, and residence location changes;
8. Allow DOC to conduct home and employment visits as DOC deems appropriate, including searches of persons, automobiles, personal property, and common areas and places to which she has access;
9. Remain in, or out of, a given geographical zone as directed by DOC;
10. Report contact with law enforcement to DOC within 24 hours of occurrence or the next business day, whichever is sooner.

PROVIDED, that Ms. Macas shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of her community supervision. Violation of any of the above conditions shall result in sanctions

as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Ms. Macas is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Ms. Macas to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Ms. Macas if she violates a condition.

ADDITIONALLY PROVIDED, that in the event Ms. Macas violates any of the conditions of this Conditional Commutation, as determined by the governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Ms. Macas will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the governor regarding the violation. A written notice of the governor's intent to review the alleged violation(s) and revoke or amend the Conditional Commutation will then be mailed to the most recent address Ms. Macas has provided to the Office of the Governor or, if Ms. Macas is in custody, to her place of detention. If within 14 calendar days of the mailing of the notice, Ms. Macas submits a sworn statement made under penalty of perjury that she has, in fact, complied with all conditions of this Conditional Commutation, the governor shall appoint a hearing officer. The hearing officer will provide Ms. Macas an opportunity to be heard and to present witnesses and documentary evidence that she has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the governor for the governor's final and conclusive determination on whether Ms. Macas has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Ms. Macas is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Ms. Macas will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Ms. Macas may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the governor determines there are reasonable grounds to believe she has violated the above conditions of this Conditional Commutation, reason to be concerned that she would pose a risk to any person or to the community, or that there is a possibility that Ms. Macas may abscond if not detained. If detained, Ms. Macas will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe she has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

CONDITIONAL COMMUTATION OF
JORRELL AVERY HICKS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2012, a jury found Jonell Avery Hicks guilty of FIRST DEGREE ASSAULT WITH A FIREARM, FIRST DEGREE UNLAWFUL FIREARM POSSESSION, FIRST DEGREE ROBBERY, DRIVE BY SHOOTING, and POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO MANUFACTURE in Snohomish County Superior Court Cause No. 11-1-02036-8. These convictions followed events in which an armed Mr. Hicks and two associates approached the victim, demanding her purse and money. Mr. Hicks took the victim's purse and fled, as the victim chased. From a car, Mr. Hicks fired at the victim's car, hitting it.

WHEREAS, Mr. Hicks' co-defendants served prison sentences of four years and six years, respectively. Mr. Hicks had been offered a plea deal, but when he rejected it and opted for trial, the prosecution added three more charges with firearm enhancements. Following trial, Mr. Hicks was sentenced to over 39 years in prison and has now served over 11 years.

WHEREAS, in December 2022, the Clemency and Pardons Board reviewed Mr. Hicks' clemency petition. Before the Board, Mr. Hicks presented testimony that he has engaged in pro-social behavior while incarcerated. Also, upon release, Mr. Hicks has offers for work, shelter, and further support.

WHEREAS, the Snohomish County Prosecuting Attorney supports Mr. Hicks' clemency petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the governor commute Mr. Hicks' sentence. In making this recommendation, the Board cited Mr. Hicks' remorse and demonstrated rehabilitation, strong support network, the disparate sentence imposed against him compared to his co-defendants, and the county prosecutor's support.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Jonell Avery Hicks' sentence for his 2012 convictions for FIRST DEGREE ASSAULT WITH A FIREARM, FIRST DEGREE UNLAWFUL FIREARM POSSESSION, FIRST DEGREE ROBBERY, DRIVE BY SHOOTING, and POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO MANUFACTURE in Snohomish County Superior Court Cause No. 11-1-02036-8, conditioned on his agreement to comply with all terms outlined by the Department of Corrections (DOC) in the below community transition plan. Under this plan, DOC shall have the authority to release Mr. Hicks from custody no later than September 1, 2024, contingent on DOC approving his offender release plan and completing all applicable statutory notifications. While in custody, Mr. Hicks must complete a chemical dependency assessment and the resulting inpatient treatment recommendations prior to release to the community. During his final six months in custody, Mr. Hicks shall complete a DOC-approved work release program. Following his release from custody, Mr. Hicks shall serve 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in custody and under community supervision, Mr. Hicks must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Hicks shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be subject to OPS monitoring during his first 90 days in the community.
4. Be subject to a curfew, as assigned by DOC, during the first 90 days in the community.
5. Be available for regular contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common living spaces, or social media accounts.
6. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
7. Obtain DOC-approved employment, or participate in DOC-approved educational, vocational, community service programming, or other regular pro-social activities, and report it to DOC along with changes in status.
8. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
9. Remain in, or out of, a given geographical zone as directed by DOC.
10. Not operate a motor vehicle without a valid driver's license and registration.
11. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
12. If recommended by his inpatient chemical dependence assessment, continue outpatient treatment recommendations within the first 30 days in the community.
13. Not associate with known or suspected gang members, or known users or sellers of drugs, as determined by DOC.
14. Not possess in the home, or use, controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
15. Be subject to regular drug and alcohol testing, as directed by DOC.
16. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.

PROVIDED, that Mr. Hicks shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Hicks is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Hicks to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Hicks if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Hicks violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Hicks will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Hicks has provided to the Office of the Governor or, if Mr. Hicks is in custody, to his place of detention.

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If within 14 calendar days of the mailing of the notice, Mr. Hicks submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Hicks an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Hicks has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Hicks is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the Governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Hicks will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Hicks may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Hicks may abscond if not detained. If detained, Mr. Hicks will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of March, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor



/s/
Randy Bolerjack
Deputy Secretary of State

CONDITIONAL COMMUTATION OF
JOSE JUAN MORA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1994, a jury found Jose Juan Mora guilty of FIRST DEGREE AGGRAVATED MURDER in Grant County Superior Court Cause No. 94-1-00271-9. This conviction followed events in which an intoxicated Mr. Mora provided an associate with money and a firearm and directed him to attack the victim. When the associate confronted the victim, he shot and killed him.

WHEREAS, the prosecution tried Mr. Mora for aggravated first degree murder on a murder-for-hire theory. Mr. Mora claims that he instructed his associate to assault the victim, not murder him. Mr. Mora's associate received a 20-year sentence for felony murder and was released to the community over a decade ago, while Mr. Mora received a life sentence. Mr. Mora has served over 28 years on this conviction.

WHEREAS, in December 2022, the Clemency and Pardons Board reviewed Mr. Mora's clemency petition. The testimony before the Board stated that had Mr. Mora been convicted of first degree murder-the offense for which his associate was convicted-

he would have faced a standard range sentence less than 28 years. In addition, the record before the Board demonstrated that prosecutors offered Mr. Mora a plea deal to second degree murder, which would have resulted in an even shorter sentence. Mr. Mora also presented testimony that, upon release from prison, he will return to Mexico, where he has family and a support network that has secured him work, housing, and other supports.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the governor commute Mr. Mora's sentence. In making this recommendation, the Board cited Mr. Mora's remorse and demonstrated maturation over his nearly three decades of incarceration, his personal redemption and growth in prison, and his strong support network. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Jose Juan Mora's 1994 sentence for FIRST DEGREE AGGRAVATED MURDER in Grant County Superior Court Cause No. 94-1-00271-9, conditioned on his written agreement to comply with all terms outlined by the Department of Corrections (DOC) in the following community transition plan.

Under this plan, DOC shall have the authority to immediately transfer Mr. Mora, following completion of any required statutory notifications, to U.S. Immigration and Customs Enforcement (ICE), where he is subject to a detainer and may face deportation to Mexico.

If ICE releases Mr. Mora to the community pending deportation proceedings, Mr. Mora shall begin serving 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in state custody and under community supervision, Mr. Mora must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Mora shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be available for regular contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common living spaces, or social media accounts.
4. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
5. Obtain a mental health evaluation within 45 days of his release to community supervision and follow recommendations.
6. Obtain DOC-approved employment, or participate in DOC-approved educational, vocational, community service programming, or other regular pro-social activities, and report it to DOC along with changes in status.
7. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
8. Remain in, or out of, a given geographical zone as directed by DOC.
9. Not operate a motor vehicle without a valid driver's license

- and registration.
10. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
 11. Not associate with known users or sellers of drugs, as determined by DOC.
 12. Not possess in the home, or use, controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
 13. Be subject to regular drug and alcohol testing, as directed by DOC.
 14. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.

PROVIDED, that Mr. Mora shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Mora is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Mora to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Mora if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Mora violates any of the conditions of this Conditional Commutation, as determined by the governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Mora will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the governor regarding the violation. A written notice of the governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Mora has provided to the Office of the governor or, if Mr. Mora is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Mora submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the governor shall appoint a hearing officer. The hearing officer will provide Mr. Mora an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the governor for the governor's final and conclusive determination on whether Mr. Mora has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Mora is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Mora will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Mora may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Mora may abscond if not detained. If detained, Mr. Mora will be provided a preliminary hearing, as promptly as convenient after arrest, to

determine whether there are reasonable grounds to believe he has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 10th day of April, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

FULL AND UNCONDITIONAL PARDON OF
CARLTON LEE GOODE III

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, Carlton Lee Goode III pleaded guilty to FIRST DEGREE BURGLARY, FIRST DEGREE ROBBERY, THIRD DEGREE ASSAULT, and UNLAWFUL IMPRISONMENT in Pierce County Superior Court, Cause No. 03-1-05258-4. This conviction followed events in 2003 in which Mr. Goode, then 17-years old, under the direction of an older accomplice, committed a burglary. While Mr. Goode served as a lookout, his accomplice entered the home and tied up a victim, before the two of them stole property from the home.

WHEREAS, Mr. Goode has not been convicted of any other felonies since.

WHEREAS, since this conviction, Mr. Goode has earned his associate's degree, bachelor's degree, master's degree, and law degree.

WHEREAS, in March 2023, the Clemency and Pardons Board reviewed Mr. Goode's petition for a pardon. At this hearing, Mr. Goode presented evidence that his dream is to serve in the U.S. Marine Corps. He has attempted to enlist multiple times, but these criminal convictions preclude his pursuing that dream.

WHEREAS, the Pierce County Prosecuting Attorney supports Mr. Goode's petition seeking a pardon.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Goode a full pardon. The Board cited Mr. Goode's demonstrated rehabilitation since his youth.

WHEREAS, at the time of his crime in 2003, Mr. Goode was 17 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant Carlton Lee Goode III this full and unconditional pardon for his FIRST DEGREE BURGLARY, FIRST DEGREE ROBBERY, THIRD DEGREE ASSAULT, and UNLAWFUL IMPRISONMENT convictions in Pierce County Superior Court, Cause No. 03-1-05258-4.

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of May, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

CONDITIONAL COMMUTATION OF
JAMES ELBERT HUTCHESON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1987, a jury found James Elbert Hutcheson guilty of FIRST DEGREE AGGRAVATED MURDER in King County Superior Court Cause No. 87-1-03237-6. This conviction followed events in which an associate of Mr. Hutcheson paid him to kill her ex-boyfriend. In turn, Mr. Hutcheson, addicted to drugs and out of work, broke into the victim's home and attacked the victim, beating him to death.

WHEREAS, Mr. Hutcheson, now in his sixties, has served over 35 years on his life sentence. He achieved sobriety in 1997 and has received no serious prison infractions since 1997.

WHEREAS, Mr. Hutcheson is an honorably discharged veteran who, as a young man, experienced a traumatic brain injury during his term of service. He started the first American Legion post inside a Washington prison facility.

WHEREAS, in March 2023, the Clemency and Pardons Board reviewed Mr. Hutcheson's clemency petition. Testimony before the Board stated that Mr. Hutcheson suffers from chronic health issues, including congestive heart failure, kidney failure, diabetes, hypertension, COPD, and other ailments. He uses a walker and requires a catheter due to bladder and kidney issues. He has built a strong support network, qualifies for veterans' benefits, and has offers for housing in the community.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Hutcheson's sentence. In making this recommendation, the Board cited Mr. Hutcheson's advanced age and deteriorating health. It also opined that Mr. Hutcheson no longer poses a public safety threat and justice is not furthered by his ongoing incarceration.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE James Elbert Hutcheson's 1987 sentence for FIRST DEGREE AGGRAVATED MURDER in King County Superior Court Cause No. 87-1-03237-6, conditioned on his written agreement to comply with all terms outlined by the Department of Corrections (DOC) in the below community transition plan. Under this plan, DOC shall have the authority to release Mr. Hutcheson from custody no later than December 1, 2024, contingent on DOC approving his offender release plan and completing all applicable statutory notifications. During the last six months before his release to community supervision, DOC shall, at its discretion, place Mr. Hutcheson at a partial-

confinement Re-Entry Center facility to provide him increased community interaction and allow him to obtain employment and prepare for release. Following his release from custody, Mr. Hutcheson shall serve 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in custody and under community supervision, Mr. Hutcheson must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Hutcheson shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Complete the Reentry Life Skills program prior to his release to community supervision.
3. Comply with all applicable judgment and sentence orders.
4. Be available for regular contact with DOC as directed, and consent to DOC home visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common living spaces, or social media accounts.
5. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
6. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
7. Remain in, or out of, a given geographical area as directed by DOC.
8. Not operate a motor vehicle without a valid driver's license and registration.
9. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
10. Not possess in the home, or use, controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
11. Be subject to regular drug and alcohol testing, as directed by DOC.
12. Not associate with known users or sellers of drugs.
13. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.

PROVIDED, that Mr. Hutcheson shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Hutcheson is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Hutcheson to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Hutcheson if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Hutcheson violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Hutcheson will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Hutcheson has provided to the Office of the Governor or, if Mr. Hutcheson is in custody, to

his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Hutcheson submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Hutcheson an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Hutcheson has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Hutcheson is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the Governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Hutcheson will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Hutcheson may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Hutcheson may abscond if not detained.

If detained, Mr. Hutcheson will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

FULL AND UNCONDITIONAL PARDON OF
MICHAEL JAMES DEEGAN JR.

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1997, Michael James Deegan Jr. pleaded guilty to DRIVE-BY SHOOTING in Clark County Superior Court, Cause No. 97-1-01288-1. This conviction followed events in which a teenage Mr. Deegan, riding in a car with fellow gang members, fired shots toward the home of a man who had been communicating with a female associate of theirs.

WHEREAS, Mr. Deegan has not been convicted of any other felonies since 1997.

WHEREAS, Mr. Deegan has satisfied all the terms of his judgment and sentence. The sentencing court issued him a certificate of discharge in 2009.

WHEREAS, Mr. Deegan earned his GED while incarcerated. He was released from prison in 1998, and since then has married and raised a family.

WHEREAS, in June 2023, the Clemency and Pardons Board reviewed Mr. Deegan's petition for a pardon. At this hearing, Mr. Deegan presented evidence that he currently works as a registered behavioral technician, supporting individuals with special needs. He would like to advance in his field, but this felony conviction precludes him from pursuing further opportunities.

WHEREAS, the Clark County Prosecuting Attorney does not object to Mr. Deegan's petition seeking a pardon. No victims have raised any objections.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Deegan a full pardon. The Board cited Mr. Deegan's demonstrated rehabilitation since his youth as well as his commitment to serving some of the most vulnerable in the community.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant Michael James Deegan Jr. this FULL AND UNCONDITIONAL pardon for his DRIVE-BY SHOOTING conviction in Clark County Superior Court, Cause No. 97-1-01288-1.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

FULL AND UNCONDITIONAL PARDON OF
FERNANDO RONDON-GOMEZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2008, Fernando Rondon-Gomez pleaded guilty to THIRD DEGREE THEFT in Kent Municipal Court, Cause No. K70144. He later pleaded guilty to FIRST DEGREE THEFT in King County Superior Court, Cause No. 09-1-02099-6. These convictions followed events in which Mr. Rondon-Gomez, then going through a period of homelessness while battling alcoholism, entered stores and took groceries without paying.

WHEREAS, Mr. Rondon-Gomez has accepted full responsibility for his actions. He has achieved and maintained sobriety since 2009, and he has lived crime-free in the community since 2008.

WHEREAS, since his release from custody, Mr. Rondon-Gomez has man-ied and now has an extended family. He has also obtained steady employment and is active in his community through volunteerism and civic engagement.

WHEREAS, due to Mr. Rondon-Gomez' convictions, he now faces the possibility of imminent deportation from the United States to Cuba, a country from which he and his entire family emigrated years ago. At this stage, he has no family, friends, or other connections in Cuba.

WHEREAS, in June 2023, the Clemency and Pardons Board reviewed Mr. Rondon- Gomez' petition for a pardon. At his

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hearing, Mr. Rondon-Gomez presented testimony that his deportation would devastate his community and his family.

WHEREAS, nobody has expressed opposition to Mr. Rondon-Gomez' petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Rondon-Gomez a full pardon. It cited the remorse and maturity that he's demonstrated, as well as his connection to his family and community here in Washington and elsewhere across the country.

WHEREAS, I have reviewed the pertinent facts and circumstances surrounding this matter, the circumstances of the crimes and the consequences that this deportation will have on Mr. Rondon-Gomez and his family and community, and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Fernando Rondon-Gomez this FULL AND UNCONDITIONAL pardon for his convictions for THIRD DEGREE THEFT in Kent Municipal Court, Cause No. K70144, and FIRST DEGREE THEFT in King County Superior Court, Cause No. 09-1-02099-6.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

FULL AND UNCONDITIONAL PARDON OF
CHOCH CHEA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1997, Choch Chea pleaded guilty to two counts of SECOND DEGREE ASSAULT in King County Superior Court, Cause No. 97-1-00531-7 SEA. These convictions followed events in which a then-17-year-old Mr. Chea was riding in the backseat of a car with his associates. They spotted a rival gang walking on the street, and one of Mr. Chea's associates handed him a pistol. He fired multiple shots and hit two people.

WHEREAS, Mr. Chea has accepted full responsibility for his actions. Following his period in Washington state custody, in 2001 he was released to federal immigration detention before being released to the community in 2002.

WHEREAS, Mr. Chea has been living crime free in the community for over 15 years.

WHEREAS, Mr. Chea maintains steady employment and is involved with his community. He lives with his aunt and provides support to his elderly mother.

WHEREAS, due to Mr. Chea's convictions, he now faces the possibility of imminent deportation from the United States to Cambodia, a country from which he and his family fled when he was a toddler. He has no family, friends, or other connections in Cambodia.

WHEREAS, in June 2023, the Clemency and Pardons Board reviewed Mr. Chea's petition for a pardon. At his hearing, Mr. Chea presented testimony that his depolation would devastate his community and his family.

WHEREAS, the King County Prosecuting Attorney's Office does not object to Mr. Chea's petition. Nobody has expressed opposition to Mr. Chea's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Chea a full pardon, citing his remorse and maturity since he committed this crime, as well as his connection to his family and community here in Washington.

WHEREAS, at the time of his crime in 1996, Mr. Chea was 17 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions. And,

WHEREAS, I have reviewed the pertinent facts and circumstances surrounding this matter, the circumstances of the crimes and the consequences that this deportation will have on Mr. Chea and his family and community, and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Choch Chea this FULL AND UNCONDITIONAL pardon of his convictions for two counts of SECOND DEGREE ASSAULT in King County Superior Court, Cause No. 97-1-00531-7 SEA.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

FULL AND UNCONDITIONAL PARDON OF
NICKOLAS ANTHONY WALKER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, Nickolas Anthony Walker pleaded guilty to INTIMIDATING A WITNESS in Lewis County Superior Court, Cause No. 04-1-477-7. This conviction followed events in which Mr. Walker was leaving the courthouse on an unrelated matter. He was experiencing a panic attack, and in view of a witness, he ripped his dress shirt open, which was perceived as an act of intimidation.

WHEREAS, this is the only conviction on Mr. Walker's record.

WHEREAS, since this conviction, Mr. Walker has completed anger management courses to better control his emotions.

WHEREAS, Mr. Walker has been married for over 18 years, and he has two children.

WHEREAS, following this conviction, Mr. Walker was diagnosed with Asperger's Syndrome, which can cause individuals to experience greater anxiety and lead to panic attacks.

WHEREAS, in June 2023, the Clemency and Pardons Board reviewed Mr. Walker's petition for a pardon. At this hearing, Mr. Walker presented evidence that he works as an engineer and obtains government contracts in pharmaceutical and semiconductor industries. But this criminal conviction makes it hard for him to maintain long-term government contracts and

forces him to regularly relocate to find new work, causing a strain on his family.

WHEREAS, the Lewis County Prosecuting Attorney does not object to Mr. Walker's petition seeking a pardon. No victims have raised any objections.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Walker a full pardon. The Board cited the way in which this felony continues to adversely affect not just Mr. Walker, but also his family. It found that justice is no longer served with this felony on his criminal record.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant Nickolas Anthony Walker this FULL AND UNCONDITIONAL pardon for his INTIMIDATING A WITNESS conviction in Lewis County Superior Court, Cause No. 04-1-477-7.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor



/s/
Randy Bolerjack
Deputy Secretary of State

CONDITIONAL COMMUTATION OF
SHERI RAMSEY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2006, Sheri Ramsey pleaded guilty to FIRST DEGREE MURDER, in Spokane County Superior Court, Cause No. 05-1-03769-6. Her conviction followed events in which Ms. Ramsey and her associates devised and executed a plan in which Ms. Ramsey, in response to her roommate's continued abuse and harassment, shot him dead.

WHEREAS, a court sentenced Ms. Ramsey to 25 years. She has served over 16 years on her sentence.

WHEREAS, since 2010, Ms. Ramsey has had no serious infractions. She has achieved and maintained her sobriety for over 16 years. While incarcerated, Ms. Ramsey has earned an associate's degree and obtained her certification as a dog groomer.

WHEREAS, in June 2023, the Clemency and Pardons Board reviewed Ms. Ramsey's clemency petition. The testimony before the Board was that Ms. Ramsey has demonstrated rehabilitation during her term of incarceration. She acts as a mentor to other incarcerated women, and she has worked to be a stable mother to her adult son, who is now attending college. She has a robust community support network and has arranged for housing, employment, and transportation upon her release.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the governor commute Ms. Ramsey's sentence. The Board cited Ms. Ramsey's demonstrated remorse and rehabilitation as well as her strong family and community support networks. The Board found that justice will not be served by Ms. Ramsey's continued incarceration. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Sheri Ramsey's sentence for FIRST DEGREE MURDER, in Spokane County Superior Court, Cause No. 05-1-03769-6, conditioned on her agreement to comply with all terms outlined by the Department of Corrections (DOC) in a transition plan. Under this transition plan, DOC shall have the authority to release Ms. Ramsey from custody no later than February 1, 2025, after approval of her release plan and completion of all statutorily required notifications. During the last six months before her release to community supervision, DOC shall, at its discretion, place Ms. Ramsey at a partial- confinement reentry center facility to provide her increased community interaction and allow her to obtain employment and prepare for release. Following successful completion of her assignment to the reentry center facility and her release from custody, Ms. Ramsey shall serve 36 months of community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During her time in custody and on community supervision, Ms. Ramsey must comply with any conditions set by DOC. These conditions shall include, but not be limited to the following:

Ms. Ramsey shall:

1. Obey all laws and follow standard DOC conditions for supervision and other DOC orders, instructions, or directives;
2. Abide by the terms of her judgment and sentence order;
3. Complete the Thinking For A Change program prior to her release to community supervision, if ordered by DOC;
4. Complete the Reentry Life Skills program prior to her release to community supervision. DOC shall assign her a Reentry Navigator to support her transition during her first 90 days on community supervision;
5. Complete a mental health evaluation prior to her transition to the reentry center facility and/or community supervision, as determined by DOC, and follow any prescribed recommendations;
6. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC;
7. Abstain from using or possessing alcohol and controlled substances/paraphernalia, including medications, marijuana, spice, or other mind altering mood altering substances, unless prescribed by a licensed medical doctor;
8. Attend regular AA and/or NA meetings as determined by DOC;
9. Submit to regular and/or random urinalysis and breathalyzer testing as directed by DOC;
10. Not possess, receive, or transport a firearm, explosive, dangerous weapon, or ammunition as defined and determined by DOC;
11. Receive prior approval from DOC for living arrangements, residence locations, and residence location changes;
12. Not work in, or frequent, bars or taverns or places where distribution of alcohol is the primary product, as determined by DOC;
13. Not associate with known users or sellers of drugs or criminals, as determined by DOC or unless approved by DOC;

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14. Allow DOC to conduct home and employment visits as DOC deems appropriate, including searches of persons, automobiles, personal property, and common areas and places to which she has access;
15. Remain in, or out of, a given geographical zone as directed by DOC;
16. Report contact with law enforcement to DOC within 24 hours of occurrence or the next business day, whichever is sooner.

PROVIDED, that Ms. Ramsey shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of her community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Ms. Ramsey is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Ms. Ramsey to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Ms. Ramsey if she violates a condition.

ADDITIONALLY PROVIDED, that in the event Ms. Ramsey violates any of the conditions of this Conditional Commutation, as determined by the governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Ms. Ramsey will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the governor regarding the violation. A written notice of the governor's intent to review the alleged violation(s) and revoke or amend the Conditional Commutation will then be mailed to the most recent address Ms. Ramsey has provided to the Office of the Governor or, if Ms. Ramsey is in custody, to her place of detention. If within 14 calendar days of the mailing of the notice, Ms. Ramsey submits a sworn statement made under penalty of perjury that she has, in fact, complied with all conditions of this Conditional Commutation, the governor shall appoint a hearing officer. The hearing officer will provide Ms. Ramsey an opportunity to be heard and to present witnesses and documentary evidence that she has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the governor for the governor's final and conclusive determination on whether Ms. Ramsey has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Ms. Ramsey is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Ms. Ramsey will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Ms. Ramsey may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the governor determines there are reasonable grounds to believe she has violated the above conditions of this Conditional Commutation, reason to be concerned that she would pose a risk to any person or to the community, or that there is a possibility that Ms. Ramsey may abscond if not detained. If detained, Ms. Ramsey will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe she has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

CONDITIONAL COMMUTATION OF CHARLES CURTIS TATE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1990, a jury found Charles Curtis Tate guilty of FIRST DEGREE AGGRAVATED MURDER in Spokane County Superior Court Cause No. 90-1-00378-0. This conviction followed events in which Mr. Tate, addicted to controlled substances and without a means to support his addiction, robbed a convenience store. Carrying a firearm, he confronted the store clerk and ordered her to empty the cash register. As he set out to leave, Mr. Tate shot the store clerk dead.

WHEREAS, Mr. Tate, now in his sixties, has served over 32 years on his life sentence. He achieved sobriety in 1991 and has received just one prison infraction since the beginning of his incarceration.

WHEREAS, Mr. Tate earned his GED and associates degree while incarcerated. He has become a leader inside DOC facilities.

WHEREAS, in March 2022, the Clemency and Pardons Board reviewed Mr. Tate's clemency petition. Testimony before the Board stated that Mr. Tate is remorseful for his past behavior. He has built a strong support network inside the prison and out in the community, and he has offers for housing and employment upon release.

WHEREAS, the Clemency and Pardons Board voted to recommend that the Governor commute Mr. Tate's sentence. In making this recommendation, the Board cited Mr. Tate's remorsefulness and commitment to his rehabilitation, as well as his strong family and community support network and his history of mentorship and positive social interaction in prison.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Charles Curtis Tate's 1990 sentence for FIRST DEGREE AGGRAVATED MURDER in Spokane County Superior Court Cause No. 90-1-00378-0, conditioned on his written agreement to comply with all terms outlined by the Department of Corrections (DOC) in the below community transition plan. Under this plan, DOC shall have the authority to release Mr. Tate from custody no later than February 1, 2025, contingent on DOC approving his offender release plan and completing all applicable statutory notifications. During the last six months before his release to community supervision, DOC shall, at its discretion, place Mr. Tate at a partial-confinement work release facility to provide him increased community interaction and allow him to obtain employment and prepare for

release. Following successful completion of his work release program and his release from custody, Mr. Tate shall serve 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in custody and under community supervision, Mr. Tate must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Tate shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Complete the Thinking For A Change program prior to his release to community supervision, if ordered by DOC.
3. Complete a substance abuse assessment, and if inpatient treatment is recommended, complete recommended treatments before transitioning to community supervision.
4. Comply with all applicable judgment and sentence orders.
5. Be subject to GPS monitoring and curfews during his first 60 days of community supervision, as set by DOC.
6. Be available for regular contact with DOC as directed, and consent to DOC home visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common living spaces, or social media accounts.
7. Physically return to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
8. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence even if just for one night.
9. Remain in, or out of, a given geographical area as directed by DOC.
10. Not operate a motor vehicle without a valid driver's license and registration.
11. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
12. Not possess in the home, or use, controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
13. Be subject to regular drug and alcohol testing, as directed by DOC.
14. Not work in, or frequent, bars or taverns or places where distribution of alcohol is the primary product, as determined by DOC.
15. Not associate with known users or sellers of drugs or criminals, as determined by DOC or unless approved by DOC.
16. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.

PROVIDED, that Mr. Tate shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Tate is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Tate to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Tate if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Tate violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court

reinstated, whereupon Mr. Tate will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Tate has provided to the Office of the Governor or, if Mr. Tate is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Tate submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Tate an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Tate has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Tate is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the Governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Tate will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Tate may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Tate may abscond if not detained. If detained, Mr. Tate will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of July, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

FULL AND UNCONDITIONAL PARDON OF
ERIC M. BACOLOD

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1997, Eric Bacolod was found guilty of three counts of FIRST DEGREE ASSAULT, EACH WITH A FIREARM ENHANCEMENT, in Pierce County Superior Court, Cause No. 96-1-01655-3. He was sentenced to a term of 500 months. These convictions followed events in which a then-18-year-old Mr. Bacolod was riding in a car with his associates. They spotted three people walking on the street, and Mr. Bacolod got out of the vehicle and fired a handgun at the three other teenagers. No one was shot or physically injured as a result of Mr. Bacolod's actions.

FIRST DAY, JANUARY 8, 2024

WHEREAS, on December 2, 2022, the Pierce County Superior Court, on petition of the Pierce County Prosecuting Attorney, entered an order to reduce Mr. Bacolod's term of confinement from 500 months to 359 months under RCW 36.27.130, which provides for a resentencing "if the original sentence no longer advances the interests of justice."

WHEREAS, Mr. Bacolod, now approximately 46 years old, was four years old when he lawfully immigrated to the United States. His immediate family are all US citizens and live in the United States. His mother became a US citizen a few months after Mr. Bacolod turned 18; and his biological father is a US citizen but did not acknowledge paternity and pledge financial support before Mr. Bacolod turned 18. Had Mr. Bacolod's mother become a US citizen before Mr. Bacolod turned 18, or had his biological father taken different steps, Mr. Bacolod would be a US citizen today.

WHEREAS, Mr. Bacolod's son, a US citizen, lives in Tacoma. In addition, his stepfather and half-brothers are also US citizens, and one of his half-brothers serves in the US Air Force.

WHEREAS, Mr. Bacolod has accepted full responsibility for his actions, he has served 27 years, and he completed his term of confinement for all three convictions on December 11, 2023.

WHEREAS, while incarcerated, Mr. Bacolod earned his GED and participated in numerous training and certificate programs.

WHEREAS, due to Mr. Bacolod's convictions, a federal immigration judge issued an Order of Removal (a deportation order) in 2001, and he now faces the possibility of imminent deportation from the United States to the Philippines. He has no immediate family, friends, or other connections in the Philippines. Mr. Bacolod speaks only English.

WHEREAS, a pardon would permit Mr. Bacolod to petition to reopen his immigration case and seek revocation of his Order of Removal.

WHEREAS, on December 7, 2023, the Clemency and Pardons Board reviewed Mr. Bacolod's petition for a pardon. At his hearing, Mr. Bacolod presented testimony directly and through his supporters that his deportation would devastate him and his family.

WHEREAS, the Pierce County Prosecuting Attorney's Office objected to Mr. Bacolod's petition for a pardon. The primary objection articulated at the hearing was that granting Mr. Bacolod would unfairly benefit him (as compared to others with similar convictions) solely based on his legal status in this country.

WHEREAS, the Clemency and Pardons Board voted 3 - 1 to recommend that the Governor grant Mr. Bacolod a full and unconditional pardon, citing his remorse and maturity since he committed this crime, as well as his connection to his family and community here in Washington.

WHEREAS, at the time of his crime in 1996, Mr. Bacolod was 18 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions. And,

WHEREAS, I have reviewed the pertinent facts and circumstances surrounding this matter, the circumstances of the crimes and the consequences that this deportation will have on Mr. Bacolod and his family and community, and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Eric Bacolod this FULL AND UNCONDITIONAL pardon of his convictions for three counts of FIRST DEGREE ASSAULT in Pierce County Superior Court, Cause No. 96-1-01655-3.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of December, A.D., two thousand and twenty-three.

/s/
Jay Inslee
Governor

/s/
Amanda Doyle
Secretary of State Chief of Staff

MOTION

At 12:28 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 12:35 p.m. by the President of the Senate, Lt. Governor Heck presiding.

REPORT OF SPECIAL COMMITTEE

The Special Committee composed of Senators Nguyen and Rivers appeared before the bar of the Senate and reported that the Governor had been notified under the provisions of Senate Resolution No. 8648 that the Senate is organized and ready to conduct business.

The President received the report of the committee and the committee was discharged.

MOTIONS

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

At 12:37 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 12:49 p.m. by the President of the Senate, Lt. Governor President Heck presiding.

REMARKS BY THE PRESIDENT

President Heck: "Senator Valdez, would you please stand up. You realize this is a blatant violation of senate rules, right? I have your sacred promise that this will never happen again until we play for the next national championship? Don't you have two words to share with ...?"

REMARKS BY SENATOR VALDEZ

Senator Valdez: "Go Dawgs!"

EDITOR'S NOTE: In anticipation of the University of Washington Football Team's appearance in the National Collegiate Athletic Association's College Football Playoff Championships game later in the day, Senator Valdez appeared on the floor wearing UW Husky athletic apparel.

MOTION

At 12:49 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease until 1:30 p.m.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4407.

Senator Pedersen spoke in favor of adoption of the resolution.

HOUSE CONCURRENT RESOLUTION NO. 4407 having received a majority was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4406, by Representatives Fitzgibbon and Steele

Calling a Joint Session of the Legislature.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Concurrent Resolution No. 4406 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4406.

Senator Pedersen spoke in favor of adoption of the resolution.

HOUSE CONCURRENT RESOLUTION NO. 4406 having received a majority was adopted by voice vote.

MOTION

At 1:33 p.m., on motion of Senator Pedersen, the Senate adjourned until 11:40 a.m. Tuesday, January 9, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MESSAGES FROM THE HOUSE

January 8, 2024

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4406,

HOUSE CONCURRENT RESOLUTION NO. 4407,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

January 8, 2024

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8411,

and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING OF HOUSE BILLS

HCR 4406 by Representative Fitzgibbon and Steele
Calling a Joint Session of the Legislature.

HCR 4407 by Representatives Fitzgibbon and Steele
Establishing cutoff dates for the consideration of legislation during the 2024 regular session of the sixty-eighth legislature.

MOTIONS

On motion of Senator Pedersen, under suspension of the rules House Concurrent Resolution No. 4406 and House Concurrent Resolution No. 4407 were placed on the second reading calendar.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4407, by Representatives Fitzgibbon and Steele

Establishing cutoff dates for the consideration of legislation during the 2024 regular session of the sixty-eighth legislature.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Concurrent Resolution No. 4407 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, January 9, 2024

The Senate was called to order at 11:30 a.m. by the President of the Senate, the prior day’s convening time notwithstanding. No roll call was taken. President Heck called for the reading of the Journal of the previous day’s business.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.
On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

January 9, 2024

MR. PRESIDENT:
The Speaker has signed:
HOUSE CONCURRENT RESOLUTION NO. 4406,
HOUSE CONCURRENT RESOLUTION NO. 4407,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

January 8, 2024

MR. PRESIDENT:
The House has passed:
SUBSTITUTE HOUSE BILL NO. 1012,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245,
HOUSE BILL NO. 1455,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6041 by Senator Braun
AN ACT Relating to prohibiting the provision of false or misleading information under the ethics in public service act; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government & Elections.

SB 6042 by Senator Trudeau and Wilson, C.
AN ACT Relating to services and procedures for juveniles releasing from juvenile detention facilities; amending RCW 13.40.040, 13.40.050, 13.32A.150, 13.32A.152, 13.32A.191, and 43.330.724; and adding a new section to chapter 43.216 RCW.

Referred to Committee on Human Services.

SB 6043 by Senator Salomon and Muzzall; by request of Department of Natural Resources
AN ACT Relating to the authority of the department of natural resources to determine recreational use fees for

activities on agency-managed public lands; and amending RCW 4.24.210.

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

SB 6044 by Senator Fortunato
AN ACT Relating to juvenile access to an attorney; and amending RCW 13.40.740.

Referred to Committee on Human Services.

SB 6045 by Senator Hunt
AN ACT Relating to school district efficiencies and consolidation; adding a new section to chapter 28A.345 RCW; adding new sections to chapter 28A.315 RCW; adding a new section to chapter 44.28 RCW; and providing a contingent expiration date.

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

SB 6046 by Senator Braun
AN ACT Relating to suspending the statute of limitations for childhood sexual abuse claims against bankruptcy estates of certain organizations; adding a new section to chapter 4.16 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 6047 by Senator Warnick
AN ACT Relating to executive sessions by publicly owned natural gas utilities under the open public meetings act in order to comply with the climate commitment act; reenacting and amending RCW 42.30.110; and creating a new section.

Referred to Committee on State Government & Elections.

SB 6048 by Senator Braun
AN ACT Relating to funding special education ombuds; and making an appropriation.

Referred to Committee on Ways & Means.

SB 6049 by Senator Braun
AN ACT Relating to supporting students' learning recovery with high quality tutoring, rigorous extended learning programs, and summer school programs; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

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

SB 6050 by Senator Dhingra and Warnick
AN ACT Relating to supporting young adults following inpatient behavioral health treatment; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 6051 by Senator Braun

AN ACT Relating to manslaughter when certain controlled substances are sold that result in death of the user; and amending RCW 9A.32.060.

Referred to Committee on Law & Justice.

SB 6052 by Senator Nguyen; by request of Office of the Governor

AN ACT Relating to petroleum products supply and pricing; amending RCW 19.86.140 and 42.56.330; adding a new chapter to Title 19 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 6053 by Senator Holy; by request of Student Achievement Council

AN ACT Relating to improving equitable access to postsecondary education by improving data sharing between the office of the superintendent of public instruction, the Washington student achievement council, and institutions of higher education; and amending RCW 28B.10.041 and 28A.150.515.

Referred to Committee on Higher Education & Workforce Development.

SB 6054 by Senator Torres

AN ACT Relating to changing the definition of theft; and amending RCW 9A.56.020.

Referred to Committee on Law & Justice.

SB 6055 by Senator Torres

AN ACT Relating to natural resource-based industrial development; adding a new section to chapter 36.70A RCW; and creating a new section.

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

SB 6056 by Senator Torres

AN ACT Relating to human trafficking awareness training requirements; amending RCW 70.62.260; adding a new section to chapter 70.62 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6057 by Senator Torres

AN ACT Relating to addressing crimes involving human trafficking or sexual exploitation; amending RCW 9A.40.100; adding a new section to chapter 7.68 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Law & Justice.

SB 6058 by Senator Nguyen; by request of Department of Ecology

AN ACT Relating to facilitating linkage of Washington's carbon market with the California-Quebec carbon market; amending RCW 70A.65.010, 70A.65.060, 70A.65.070, 70A.65.080, 70A.65.100, 70A.65.110, 70A.65.170, 70A.65.200, 70A.65.310, and 70A.15.2200; creating a new

section; prescribing penalties; and providing a contingent effective date.

Referred to Committee on Environment, Energy & Technology.

SB 6059 by Senators Frame and McCune

AN ACT Relating to the sale or lease of manufactured/mobile home communities and the property on which they sit; and amending RCW 59.20.030, 59.20.325, 59.20.330, 59.20.335, 59.21.030, and 59.21.040.

Referred to Committee on Housing.

SB 6060 by Senator Nguyen

AN ACT Relating to the acceptance of electronic signatures by the public employment relations commission for new organizing petitions; amending RCW 41.56.060; and adding a new section to chapter 41.58 RCW.

Referred to Committee on Labor & Commerce.

SB 6061 by Senators Lovelett and Salomon

AN ACT Relating to exemptions for housing development under the state environmental policy act; and amending RCW 43.21C.229.

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

SB 6062 by Senator Torres; by request of Department of Natural Resources

AN ACT Relating to the authority of the department of natural resources to lease trust assets for the benefit of trust beneficiaries and the state; and amending RCW 79.13.010, 79.13.030, 79.13.060, 79.13.110, 79.13.120, 79.13.130, and 79.13.140.

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

SB 6063 by Senators Frame and Pedersen

AN ACT Relating to modifying the definition of persistent offender to exclude convictions for offenses committed by someone under the age of 18 and providing for resentencing; amending RCW 9.94A.030; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Human Services.

SB 6064 by Senator Hansen

AN ACT Relating to moneys collected by a landlord as fees, deposit, or security for pets; and amending RCW 59.18.260 and 59.18.270.

Referred to Committee on Housing.

SB 6065 by Senators Saldaña and Lovelett

AN ACT Relating to the property tax exemption for cities or counties providing affordable housing to qualifying households; and amending RCW 84.36.560.

Referred to Committee on Housing.

SB 6066 by Senator Padden

SECOND DAY, JANUARY 9, 2024

AN ACT Relating to amending the provisions of the Washington death with dignity act; and amending RCW 70.245.090 and 70.245.190.

Referred to Committee on Health & Long-Term Care.

SB 6067 by Senator Padden

AN ACT Relating to questions of representation under collective bargaining agreements for cities, counties, and municipal corporations; and amending RCW 41.56.070.

Referred to Committee on Labor & Commerce.

SB 6068 by Senator Boehnke

AN ACT Relating to reporting on dependency outcomes; amending RCW 13.34.820; and creating a new section.

Referred to Committee on Human Services.

SB 6069 by Senators Mullet and Valdez; by request of State Treasurer

AN ACT Relating to improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute; amending RCW 43.330.732 and 43.330.735; reenacting and amending RCW 43.79A.040 and 43.79A.040; adding a new chapter to Title 19 RCW; creating a new section; decodifying RCW 43.330.730; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6070 by Senator Short

AN ACT Relating to the most serious offenses; and amending RCW 9.94A.030.

Referred to Committee on Law & Justice.

SB 6071 by Senator Salomon

AN ACT Relating to providing information related to the human rights records of nations that export crude oil to Washington; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 43.21A RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 6072 by Senators Keiser and Conway

AN ACT Relating to addressing recommendations of the long-term services and supports trust commission; amending RCW 50B.04.010, 50B.04.020, 50B.04.030, 50B.04.055, 50B.04.060, 50B.04.070, 50B.04.085, and 50B.04.100; reenacting and amending RCW 50B.04.050 and 50B.04.080; adding new sections to chapter 50B.04 RCW; adding a new section to chapter 48.83 RCW; adding a new chapter to Title 48 RCW; creating a new section; repealing RCW 50B.04.040; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6073 by Senator Padden

AN ACT Relating to the use of artificial intelligence language learning models in official court filings; and adding a new section to chapter 2.48 RCW.

Referred to Committee on Law & Justice.

SB 6074 by Senators Saldaña and Hasegawa

AN ACT Relating to death benefits applicable to drivers of transportation network companies; amending RCW 51.16.250; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Labor & Commerce.

SB 6075 by Senators Padden and Fortunato

AN ACT Relating to sanctions of health care providers for violations of chapter 9.02 RCW; and amending RCW 9.02.120.

Referred to Committee on Law & Justice.

SB 6076 by Senator Keiser

AN ACT Relating to granting local taxing authority to fund criminal justice; amending RCW 82.14.450 and 82.14.340; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6077 by Senator Hasegawa

AN ACT Relating to regulating hemp in food; amending RCW 15.140.040 and 69.07.220; reenacting and amending RCW 69.07.010; adding new sections to chapter 69.07 RCW; and providing expiration dates.

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

SB 6078 by Senator Mullet

AN ACT Relating to legislative oversight of moneys received from enforcement actions; amending RCW 43.10.220; adding a new section to chapter 43.79 RCW; creating a new section; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 6079 by Senator Boehnke

AN ACT Relating to making juvenile detention records available to managed health care systems; and reenacting and amending RCW 13.50.010.

Referred to Committee on Human Services.

SB 6080 by Senator Boehnke; by request of Department of Revenue

AN ACT Relating to simplifying the funding provisions of the statewide tourism marketing account; amending RCW 82.08.225; and providing an effective date.

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

SB 6081 by Senator Stanford

AN ACT Relating to plain language requirements for consumer contracts; and adding a new section to chapter 19.86 RCW.

Referred to Committee on Law & Justice.

SB 6082 by Senators Nobles and Wellman; by request of Superintendent of Public Instruction

AN ACT Relating to increasing compensation for Washington paraeducators; adding new sections to chapter 28A.400 RCW; and creating a new section.

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

SB 6083 by Senator Boehnke

AN ACT Relating to transparency, public safety, and independent oversight of the city, county, and regional jail system in Washington state; amending RCW 70.48.510; and adding a new chapter to Title 43 RCW.

Referred to Committee on Human Services.

SB 6084 by Senator Wagoner

AN ACT Relating to providing collector vehicles the ability to tow trailers; and amending RCW 46.18.220.

Referred to Committee on Transportation.

SB 6085 by Senators Conway and King

AN ACT Relating to reestablishing the underground economy task force; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6086 by Senator MacEwen

AN ACT Relating to supervision compliance credit; and amending RCW 9.94A.717.

Referred to Committee on Human Services.

SB 6087 by Senator King; by request of Washington State Patrol

AN ACT Relating to the fire service training account; and amending RCW 43.43.944.

Referred to Committee on Ways & Means.

SB 6088 by Senators Conway and King

AN ACT Relating to minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status; amending RCW 49.46.010, 49.46.070, and 49.12.050; and reenacting and amending RCW 49.12.187.

Referred to Committee on Labor & Commerce.

SB 6089 by Senators King and Keiser; by request of Department of Labor & Industries

AN ACT Relating to eliminating certain minimum requirement equivalencies for electrical inspectors; and amending RCW 19.28.321.

Referred to Committee on Labor & Commerce.

SB 6090 by Senator Holy

AN ACT Relating to the creation of a law enforcement hiring grant program; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

SB 6091 by Senator Wilson, L.

AN ACT Relating to the law enforcement officers safety act (18 U.S.C. Sec. 926C) certification for retired law enforcement officers; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

SB 6092 by Senator Shewmake

AN ACT Relating to disclosure of greenhouse gas emissions; and adding a new chapter to Title 70A RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6093 by Senators Braun and Holy

AN ACT Relating to transparency in college admissions; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 6094 by Senator Robinson; by request of Health Care Authority

AN ACT Relating to aligning statutory language concerning the retired state employee and retired or disabled school employee health insurance subsidy with the historical interpretation and implementation of the relevant subsidy language in the operating budget; and amending RCW 41.05.085.

Referred to Committee on Ways & Means.

SB 6095 by Senator Robinson; by request of Department of Health

AN ACT Relating to establishing clear authority for the secretary of health to issue standing orders; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6096 by Senator Braun

AN ACT Relating to enhancing state local effort assistance funding for public schools; amending RCW 28A.500.015; and providing an effective date.

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

SB 6097 by Senators Cleveland and Rivers

AN ACT Relating to clarifying requirements for fairness and transparency in network contracting for dental services by carriers offering stand-alone dental plans; reenacting and amending RCW 48.39.005; and adding a new section to chapter 48.39 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6098 by Senator Robinson; by request of Office of Financial Management

AN ACT Relating to accounts; amending RCW 82.45.240 and 27.34.400; reenacting and amending RCW 43.79A.040,

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43.79A.040, 43.84.092, and 43.84.092; adding a new section to chapter 41.05 RCW; adding a new section to chapter 70A.535 RCW; creating new sections; repealing RCW 43.83.330, 43.83.350, 27.34.410, 43.79.487, 70A.305.140, 43.79.530, 43.41.444, and 43.79.515; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6099 by Senator Braun

AN ACT Relating to creating the tribal opioid prevention and treatment account; amending RCW 43.79.483; reenacting and amending RCW 43.84.092 and 43.84.092; adding a new section to chapter 43.79 RCW; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6100 by Senator Robinson; by request of Office of Financial Management

AN ACT Relating to making expenditures from the budget stabilization account for declared catastrophic events; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6101 by Senators Cleveland and Rivers

AN ACT Relating to establishing a regulatory structure for licensed acute care hospitals to provide hospital at-home services; amending RCW 70.127.040 and 70.38.111; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.126 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 6102 by Senator Braun

AN ACT Relating to establishing minimum in-state resident enrollment thresholds for public universities; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 6103 by Senator Braun

AN ACT Relating to free speech information for students at institutions of higher education; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 6104 by Senator Braun

AN ACT Relating to adopting free speech policy statements at public institutions of higher education; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 6105 by Senators Saldaña Nguyen

AN ACT Relating to creating safer working conditions in adult entertainment establishments; amending RCW 49.17.470; adding a new section to chapter 49.46 RCW; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SJR 8208 by Senator Wagoner

Enshrining the right to hunt and fish in the state Constitution.

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

MOTIONS

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

At 11:42 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of convening a Joint Session with the House of Representatives in the House Chamber.

JOINT SESSION

Pursuant to House Concurrent Resolution No. 4406, the Senate appeared at the door of the House of Representatives and requested admission to the Chamber. The Sergeant at Arms of the Senate, Mr. Andrew Staubitz, and the Sergeant at Arms of the House, Mr. Johnny Alexander, escorted the President of the Senate, Lieutenant Governor Denny Heck; Senator Karen Keiser; Senator Shelly Short; and Senator Bob Hasegawa to seats at the Rostrum. The senators were invited to seats within the Chamber.

The Speaker (Representative Jinkins presiding) called upon President Heck to preside over the Joint Session.

The President of the Senate, Lieutenant Governor Heck, called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

President Heck: "The Joint Session has been convened to receive the state of the state message from His Excellency, Governor Jay Inslee."

The President appointed a committee of honor to escort the Supreme Court Justices to the House Chamber: Senators Nikki Torres and Yasmin Trudeau and Representatives Emily Alvarado and Stephanie Barnard.

The President appointed a committee of honor to escort the statewide elected officials to the House Chamber: Senators Drew Hansen and Lynda Wilson and Representatives Greg Cheney and Kristine Reeves.

The President appointed a committee of honor to advise His Excellency, Governor Jay Inslee, that the Joint Session had been assembled and to escort him from his Chambers to the House Chamber: Senators Claudia Kauffman and Phil Fortunato and Representatives April Connors and Joe Fitzgibbon.

Sergeant at Arms Alexander announced the arrival of the State Supreme Court Justices at the chamber door. The committee of honor consisting of Senators Nikki Torres and Yasmin Trudeau

and Representatives Emily Alvarado and Stephanie Barnard escorted the Chief Justice and Justices to seats at the front of the House Chamber. The members of the Supreme Court were introduced by the President: Chief Justice Steven Gonzalez, Associate Chief Justice Charles Johnson; Justice Barbara Madsen, Justice Debra Stephens, Justice Sheryl Gordon-McCloud, and Justice Raquel Montoya-Lewis.

Sergeant at Arms Alexander announced the arrival of the statewide elected officials at the chamber door. The committee of honor consisting of Senators Drew Hansen and Lynda Wilson and Representatives Greg Cheney and Kristine Reeves escorted the statewide elected officials to seats at the front of the House Chamber. The statewide elected officials were introduced by the President: Secretary of State Steve Hobbs, State Treasurer Mike Pellicciotti, State Auditor Pat McCarthy, Attorney General Bob Ferguson, Superintendent of Public Instruction Chris Reykdal, Insurance Commissioner Mike Kreidler, and Commissioner of Public Lands Hilary Franz.

The President introduced officers and members of the Consular Association of Washington: Acting Consul General Gwyn Kutz, Canada; Honorary Consul Floribert Mubalama, Democratic Republic of the Congo; Honorary Consul Mark Gantar, Federal Democratic Republic of Ethiopia; Honorary Consul Pedro Costa, Federative Republic of Brazil; Honorary Consul Katalin Pearman, Hungary; Honorary Consul Elisabetta Valentini, Italian Republic; Consul General Iyori Makoto, Japan; Consul General Luis Esteban, Kingdom of Spain; Honorary Consul Petra Hilleberg, Kingdom of Sweden; Honorary Consul Viggo Forde, Norway; Honorary Consul Eva Kammel, Republic of Austria; Honorary Consul Andrés Barria Román, Republic of Chile; Honorary Consul Paul Raidna, Republic of Estonia; Honorary Consul Matti Suokko, Republic of Finland; Consul General Carlos José Arroyave Prera, Republic of Guatemala; Bernard Hensey, Republic of Ireland; Consul General Eun-ji Seo, Republic of Korea; Consul General Miguel A. Velasquez, Republic of Peru; Honorary Consul Teresa Indelak Davis, Republic of Poland; Honorary Consul Philippe Goetschel, Swiss Confederation; Director General Daniel Chen, Taipei Economic and Cultural Center; Honorary Consul Valeriy Goloborodko, Ukraine; and Consul Robin Twyman, United Kingdom of Great Britain and Northern Ireland.

The President introduced special guests seated in the gallery: First Lady Trudi Inslee; The Honorable Gary Locke, former Governor, former Ambassador; Swinomish Indian Tribal Community Chair, Steve Edwards; Tulalip Tribes Chair Teri Gobin; Tulalip Tribes Vice Chair Misty Napeahi; and Tumwater Mayor Debbie Sullivan.

Sergeant at Arms Alexander announced the arrival of His Excellency, Governor Jay Inslee at the chamber door. The committee of honor consisting of Senators Claudia Kauffman and Phil Fortunato and Representatives April Connors and Joe Fitzgibbon escorted Governor Inslee to a seat at the Rostrum.

The Washington State Honor Guard commanded by Lieutenant Matt Fehler presented the Colors. The Honor Guard consisted of Trooper Heather Axtman, Trooper Dean Gallanger, Trooper Kyle Flaig, and Trooper Michael Sessions.

The National Anthem was performed by Mr. Bobby Ray and Ms. Shalah Rose McCarthy of Kitsap County.

The President led the Joint Session in the Pledge of Allegiance.

The prayer was offered by Reverend Dee Eisenhower, Eagle Harbor Congregational Church, Bainbridge Island.

Reverend Eisenhower: “God of Many Names, We give thanks for another day of life, breath, and enjoyment of this beautiful world You created and for which we are called to care. Many of us call the earth our Mother because earth gave us everything we need for life, and earth continually nurtures and blesses us with food, air, water, companions, and beauty. We are so used to being blessed by these daily gifts that we sometimes forget to be thankful. Help us to be grounded in gratitude for the earth that mothers us from our first breath to our last. Grounded in gratitude, may we be more apt to good caretakers of our home place, Washington, which we love like no other place. Help us meet the challenge of climate change as we would meet the challenge of failing health of our own mothers, with tenderness, focus and competence.”

“Holy One, one of the natural beauties that never ceases to thrill us is the sight of a rainbow arching through the skies. May we be as moved and delighted by the rainbow of humanity that we encounter each day. As we experience the great diversity of Your people - variations in skin tones, traditions, languages, gender expressions, faiths and philosophies, may we perceive the human rainbow as a marvel more than a burden. You created us to be various, not colorless; interesting, not nondescript; united, not unanimous. Help us to meet the great diversity of your people with curiosity and unfailing compassion. Help us all see one another as children of God - even, in quarrelsome moments, imagining our opponents as the enchanting children they once were.”

“In this contentious and divided era we ask that You would strengthen our capacity to listen to one another with patience and genuine attentiveness. Help us restrain frustration and anger; give all leaders a spirit of inquisitiveness about what makes their neighbors tick. Help each person speak the truth in love, whether it is in a crucial negotiation or a passing by in the hallways. May any discussion that becomes heated in this upcoming session be lit up not with fury and contempt, but with a fiery passion for justice and good governance.”

“God who is Love, You call us beyond our selfish interests to take care of our neighbors. While suffering seems to be a condition of human life, the relief of suffering is a charge which every human can embrace. Help us to be mindful of the suffering of our neighbors who don’t presently have adequate housing, affordable health care, excellent educational opportunity, or reliable sources of food and clean water. Keep us mindful of those who suffer outside of our everyday views - folks who are incarcerated, who sleep under bridges, who drag through days troubled by mental illness, who hide out while seeking asylum. Collectively, we have the power to relieve suffering whether it’s with direct compassionate action or by allocating public funds to help our most vulnerable neighbors. May the money expended through the state carry messages of care for all our neighbors.”

“May the trust the public places in all leaders be rewarded with integrity - with your help, Spirit of Wisdom. Give us strength and courage to do what needs to be done, and to change what needs to be changed. Bless each of us with joy in our work and healing rest in our leisure. Amen.”

The President introduced His Excellency, Jay Robert Inslee, Governor.

STATE OF THE STATE ADDRESS

Governor Inslee: “Good afternoon. I would like to thank the Reverend Dee Eisenhower for the invocation, and Bobby Ray and Shalah ‘Rose’ McCarthy for their wonderful voices.”

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“Mr. President, Madam Speaker, Mr. Chief Justice, distinguished justices of the court, members of the Legislature, Tribal leaders, local leaders, members of the Consular Corps, and my fellow Washingtonians:”

“I come to you as a governor, as a granddad, and as a Washingtonian, to thank you and your families for your contributions to our efforts. My staff and their families deserve credit as well. Particularly my family and a very special person to me – Trudi.”

“I love seeing the childcare center she inspired us to build for our Capitol families, among many causes she’s advocated for as First Spouse. I love you Trudi and I’m not alone.”

“Let’s cut to the chase.”

“I’m happy to report we have been, we are, and we will always be the strongest state in the nation. In fact, the state of our state is stronger than ever. For over a decade, we’ve advanced nation-leading policies to support working families, grown our economy, and acted boldly to protect our state’s iconic spaces and salmon. We’ve advanced equity; built more housing; fought for a woman’s right to choose; and ushered in a clean energy economy.”

“In an era of tremendous transition and change, Washington has emerged as a beacon of progress in this nation. This year, we are going to make sure that light shines brighter.”

“This is my eleventh time addressing this chamber, and I have a bigger audience each year. There are 1 million more Washingtonians today than when I took office, because Washington is the place to be. I welcome our new Washingtonians who have seen the genius and promise of our state.”

“The minimum wage was \$9 in 2013 and today it’s over \$16. Wages overall have grown by 39% – double the national rate. Our GDP has grown 45%– from \$528 billion in 2013 to \$768 billion today. And we’re among the few states that rank as both a top state for business and for workers.”

“As we contemplate this next year and the work ahead, I think back to my dad, who coached track at Sealth High School. He told his runners to imagine the finish line was ten yards beyond the finish line. My father always said, and this is what sticks with me, ‘Fellas, run through the tape!’ so they wouldn’t let up before the race was over. We are going to run through the tape this year. Just as I know you’ll give this state your best work, I’ll give mine.”

“This is not a farewell speech. These are not famous last words. I’m not riding into the sunset. Winston Churchill said, ‘This is not time for ease and comfort. It is time to dare and endure.’ We will not relent to our greatest challenges. We will not go backward. This is the Evergreen State and the Ever Forward State.”

“And we’re going ever forward on our evergreen agenda. Climate change is our present, but climate collapse does not have to be inevitable. This Legislature put us on a clear – and necessary – path to slash greenhouse gases 95% by 2050.”

“We will stay the course. Any delay would be a betrayal of our children’s future. We are on the razor’s edge between promise and peril. We know this when historic floods gut homes that stood for generations, or when wildfires force the evacuation of entire towns like Medical Lake last year.”

“And the need for climate action is felt daily for Washingtonians living with pollution. There are neighborhoods today in Washington where people are dying two and a half years younger on average because of pollution.”

“This pollution is harmful to the lives of Washingtonians in communities like Everett, Wenatchee, Mattawa, Spokane, the Tri-Cities, the Yakima Valley, Shoreline, South King County, and Tacoma. There are neighborhoods in these communities where

people are forced to live sicker and die younger because of this pollution.”

“We have made a solemn oath to our children, and their children, and in that noble mission we will neither flag nor fail. We will go on to give them the grandest of blessings, a healthy Washington, instead of taking rank with defeatists who live in the grey twilight of pessimism.”

“Thanks to this Legislature’s budget priorities, we can help more people like Elisa Garcia, a farmworker in Toppenish. Her home was one of 32 in Yakima County that had rooftop solar installed, thanks to a state program specifically geared toward farmworkers. Her home now produces 100% of its energy from her own roof. Her family’s energy bills are zero and it would not have been possible without this Legislature. Elisa and her daughter, Jasmin, are here with us today. Thank you, both.”

“You’re going to hear many more stories this year and beyond about how our climate policies are making life better for Washington families.”

“The Climate Commitment Act is letting us invest in work that reduces pollution and creates good-paying jobs. It’s funding electric school buses, 8 million free transit rides for youth and counting, filtration systems in schools so students can breathe when there’s wildfire smoke outside, and public chargers for electric vehicles. This is money going right back to Washington families. It’s not going off to Houston or other oil hubs with the oil industry’s record \$200 billion in profits in 2022.”

“Now we have more we can give back to our communities.”

“I’m proposing a \$200 utility bill credit for one out of every three households in Washington – that’s nearly 2 million low- and moderate-income Washingtonians. We will help thousands more families install energy-efficient heat pumps that cut emissions and energy bills. This law also makes it easier to invest in our infrastructure, including hybrid-electric ferries, and safer bike and pedestrian routes.”

“From sustainable aviation fuels and EV battery manufacturing in Moses Lake to electric buses in Ferndale, we’re attracting and creating thousands of good-paying jobs in clean energy and clean technology. And as fossil fuel jobs go away, we’re training those workers – the folks who worked at places like TransAlta – for jobs in this new clean energy economy. These jobs are coming on quickly. The new Pacific Northwest federal hydrogen hub will create 8,000 jobs alone for the production and distribution of green hydrogen to reduce pollution.”

“Here’s something else about the fossil fuel industry. For decades, we’ve been subjected to the rollercoaster of gas prices.”

“We’re going to do something about price transparency in Washington this session. I understand why people are frustrated about gas prices. The oil and gas industry’s books are closed to the public. It’s time for transparency and accountability.”

“I believe this Legislature is capable of even more extraordinary achievements, because I’ve seen it happen every year I’ve been here. Don’t forget moments like 2018, the end of the McCleary saga, when we moved heaven and earth to fulfill our paramount duty of funding education in the state of Washington.”

“Now I hope you’ll join me by increasing pay for 32,000 paraeducators by \$3 an hour, again raising the cap on special education funding, and creating incentives for more teachers to serve special needs students.”

“And once students have graduated, they now have more pathways than ever. This Legislature has created one of the most generous college financial aid programs in the country. But college isn’t the only pathway to success, which is why we’ve also greatly increased support for apprenticeships.”

“Bryan Orihuela of Auburn was going to be an engineer, but then he was in a traumatic car accident, followed by high medical bills. He had to leave college. Fortunately, he got connected to Computing for All’s pre-apprenticeship program, which this Legislature helped support with Career Connect Washington grants. Now he’s a developer at a mental health app, and Bryan is also here today. Bryan, thank you.”

“This Legislature cares about people. I know that because of what you’ve done. This state saved thousands upon thousands of lives when COVID struck. We are now just one of a handful of states with the tools to curb excessive drug costs. We have more ways to grow our health care workforce. We’ve passed the nation’s best Paid Family Medical Leave program. In fact, I heard a story about this just the other day when I biked up to the Town & Country market on Bainbridge to get some maple bars for my grandkids. This woman behind the counter said, ‘Governor, I have to tell you something’ – and my fellow electeds know when a constituent leads with something cryptic that you could be in for anything, but she said, ‘Governor, I had a broken wrist last year and I couldn’t do my job. And the only thing that kept my family afloat was that Paid Family Medical Leave law.’

I hope you’re all having these conversations in your districts as well, because your policies are making an enormous difference in people’s lives. Protecting access to health care is helping Washingtonians like Sheena and John Wilson from Mount Vernon. Sheena’s husband John was diagnosed with cancer. Sheena expected their health costs would go up to \$3,000 a month, until she accessed the benefits of our Cascade Care public option. Her family now pays \$108 a month and the most they’ll pay out-of-pocket this year for her husband’s cancer treatment is \$2,500 total. John and Sheena are here with us today from Mount Vernon. Thank you both and good luck, too.”

“Our policies change lives when they’re focused on the people we’re here to serve. We give people the chance to succeed. People-focused policies are also how we’re addressing homelessness. Some think we can just wave a wand and those living in homelessness will disappear. But this is the real world, and we have an honest solution: Build housing and connect people to the right services, and they will succeed.”

“This time last year a woman named Starr Draper found herself in a right-of-way encampment at First Avenue and Michigan Street in Seattle.”

“No one can live in danger and expect their conditions to improve. No one can be swept from one dark corner to another and expect life to get better. We must lift people up and give them the tools, the services and the power of community necessary to get life on track. State and local collaboration got Starr on her journey to wellness. Starr said this program, quote, “renewed my trust.” She’s got work, she’s got a safe, private place to live, and Starr is here today. Thank you for inspiring us.”

“Washingtonians can see that dozens of encampments along our highways are gone and that’ll continue if we make the necessary investments. And they’re going to see thousands more new housing units thanks to our work as well.”

“I want to thank this Legislature for going big on housing last session and trusting that it was a necessary decision to put \$1 billion toward new housing already this biennium.”

“These aren’t the only ways we’re making life safer for Washingtonians while I’ve been in office.”

“We all want to take steps to increase public safety – it’s not just one thing, but many approaches. This Legislature was bold enough to stand up to the NRA and pass some of the best gun reforms in America. It did not matter how many defeats we had to take – we finally banned assault weapons in this state. Gun reform is public safety.”

“Washington state also needs more police officers, and that’s what this budget would do. My budget funds more state troopers and forensic scientists, an organized retail theft task force, and more funding for drug trafficking investigations.”

“We’re removing barriers to careers in policing by establishing training centers all over the state – where more recruits are getting some of the best training in the country, including de-escalation training. We’re joined today by the Pasco Police Department’s own Claudia Fuentes. Claudia would not be a police officer today if this Legislature had not invested in more Criminal Justice Training Centers like in Pasco. It was impossible for a parent to spend four and a half months away from home for training in Burien. But because we invested in these training centers, Officer Fuentes got to go home from the academy every night. And because she had this resource, the people of Pasco are safer. Thank you, Claudia.”

“We must also continue improving behavioral health services in our state. I recently met someone whose family was devastated by fentanyl, who called it ‘the nuclear weapon of drugs.’ We propose \$64 million in new spending to fight against opioids and fentanyl. We’re going to invest in education, community health hubs, overdose prevention, treatment access, and recovery supports.”

“We’re going to support people with stories like Holle Edwards, a member of the Swinomish Tribe whose life languished in addiction to meth and heroin before she got help at local resource centers. Holle got her life back – and she’s now a recovery counselor helping people on the same journey at a wellness center in Anacortes. Holle is here today with her uncle, Swinomish Chair Steve Edwards. Thanks for what you do – not just for tribal members but our whole community.”

“This Legislature works wonders when it embraces ambition. We’ve passed the two biggest transportation funding packages in state history during my time in office – Connecting Washington and Move Ahead Washington. Yet we know we still face questions about how to meet our obligations.”

“I don’t expect we’ll have all the answers this year, but there are things we can do in the next 60 days, which includes helping our ferry system. We’re already investing in cleaner, more efficient ferries – and I’ve directed State Ferries to look for ways to expedite boat construction. But we also must do everything possible to increase staffing and build new boats faster.”

“We’ve pursued some of the most transformative policies in the nation in my time in office. For example, I’m proud the leaders of our state are under no illusion that social justice issues were settled 60 years ago with the Civil Rights Act.”

“We will continue advancing social justice. We have made equity a part of everything we do in state government with environmental justice policies like the HEAL Act and a new agency, the Office of Equity, which makes equity a part of everything we do in state government. We must sustain our progress against racism’s pernicious influence on the past and present. The work for a more perfect union continues.”

“Before I close, I want to say there are two grave threats in the United States and in our state today. One threat is to the basic tenets and blessings of democracy. The other is the ongoing assault on a woman’s right of choice. We have not forgotten the U.S. Supreme Court’s frightening decision to eliminate *Roe v. Wade*. Fundamentally, this is an issue of freedom – freedom of choice when facing one of the most intimate and personal decisions in life. Most in this room are committed to protecting that right, but none of us will hold these seats forever. We must face the reality that there are forces in our nation and in our own state intent on destroying the right of choice. We need to join eight other states – states like Ohio, Alaska and Michigan – and

SECOND DAY, JANUARY 9, 2024

enshrine reproductive freedom in the constitution this session. I look forward to working with all of you to advance this amendment.”

“I want to share with you why I’m optimistic about this session. If I have learned anything with each subsequent legislative session, it’s that Washingtonians are always capable of doing more than others thought we could.”

“When I took office, we had audacious goals that defied the odds to become reality. I had confidence we could tackle these challenges because I’ve always believed in the unique talent and ambitions of Washingtonians. Washingtonians have more resilience, more love for our state, and more endurance to push toward the sunny uplands of the future than any other people on the planet.”

“The next two months, we’re going to make this state better at mental health, safer against opioids, more supportive for educators and students, and more committed to our climate. We’ve made hope for the future possible because Washingtonians are never restricted by the past or the bog of the status quo.”

“Inevitably, we will always be called upon to do more for the people of Washington. No matter the challenge, we will always do more than we thought possible.”

“It is our honor to be Washingtonians. It is our privilege to do this work. And it is our destiny to succeed.”

“Run. Through. The Tape. Thank you.”

The President thanked the Governor for his remarks.

The President called upon the committee of honor consisting of Senators Claudia Kauffman and Phil Fortunato and Representatives April Connors and Joe Fitzgibbon to escort His Excellency, Governor Inslee from the Rostrum and the Governor retired from the House Chamber.

The President called upon the committee of honor consisting of Senators Drew Hansen and Lynda Wilson and Representatives Greg Cheney and Kristine Reeves to escort the statewide elected officials from the Chamber and the statewide elected officials retired from the House Chamber.

The President called upon the committee of honor consisting of Senators Nikki Torres and Yasmin Trudeau and Representatives Emily Alvarado and Stephanie Barnard to escort the Chief Justice and the Justices of the State Supreme Court from the Chamber and the Supreme Court Justices retired from the House Chamber.

On motion of Representative Fitzgibbon, the Joint Session was dissolved.

The President thanked the Speaker and the House for hosting the Joint Session and returned the gavel to the Speaker.

The Speaker (Representative Jinkins presiding) assumed the chair.

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House escorted President of the Senate Heck, Senator Keiser, Senator Short, and Senator Hasegawa from the Rostrum and members of the Washington State Senate from their seats within the Chamber and the Senate retired from the House Chamber.

The Senate was called to order at 12:54 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

At 12:55 p.m., on motion of Senator Pedersen, the Senate adjourned until 1:30 p.m. Wednesday, January 10, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRD DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Wednesday, January 10, 2024

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 9, 2024

SB 5945 Prime Sponsor, Senator Conway: Concerning manufacturer and new dealer franchise agreements. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick and MacEwen.

Referred to Committee on Labor & Commerce.

January 9, 2024

SGA 9347 MICHAEL FONG, appointed on May 8, 2023, for the term ending at the governor’s pleasure, as Director of the Department of Commerce - Agency Head. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick and MacEwen.

Referred to Committee on Rules for second reading.

January 10, 2024

SGA 9365 JAY L. CUNNINGHAM, appointed on July 3, 2023, for the term ending June 30, 2024, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hansen.

Referred to Committee on Rules for second reading.

January 10, 2024

SGA 9367 ISAAC MARROQUIN, appointed on July 3, 2023, for the term ending June 30, 2024, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hansen.

Referred to Committee on Rules for second reading.

January 10, 2024

SGA 9368 SASHA MITCHELL, appointed on July 3, 2023, for the term ending June 30, 2024, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hansen.

Referred to Committee on Rules for second reading.

January 10, 2024

SGA 9369 SHAENA M. MORGAN, appointed on July 3, 2023, for the term ending June 30, 2024, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hansen.

Referred to Committee on Rules for second reading.

January 10, 2024

SGA 9370 MAX A. STONE, appointed on July 3, 2023, for the term ending June 30, 2024, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hansen.

Referred to Committee on Rules for second reading.

January 10, 2024

SGA 9377 BRYANNA J. ARTELLANO, appointed on July 5, 2023, for the term ending June 30, 2024, as Member of the Edmonds Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hansen.

Referred to Committee on Rules for second reading.

January 10, 2024

SGA 9388 ONYA N. ROBERTSON, appointed on August 25, 2023, for the term ending June 30, 2024, as Member of The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

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MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hansen.

Referred to Committee on Rules for second reading.

January 10, 2024

SGA 9426 YANA M. CHUBAROV, appointed on October 27, 2023, for the term ending June 30, 2024, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hansen.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

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

MESSAGE FROM THE HOUSE

January 9, 2024

MR. PRESIDENT:

The Speaker has signed:

SENATE CONCURRENT RESOLUTION NO. 8411.
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6106 by Senators Conway, Keiser, Robinson, and Hunt; by request of Department of Social and Health Services

AN ACT Relating to including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings; amending RCW 41.37.010; adding a new section to chapter 41.37 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6107 by Senators Cleveland and Keiser

AN ACT Relating to addressing sanitary conditions for construction workers who menstruate or express milk; adding a new section to chapter 49.17 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6108 by Senators King and Stanford

AN ACT Relating to retainage on private construction projects; and amending RCW 60.30.010 and 60.30.020.

Referred to Committee on Labor & Commerce.

SB 6109 by Senators Wilson, C. and Boehnke

AN ACT Relating to supporting children, families, and child welfare workers by improving services and clarifying the child removal process in circumstances involving high-potency synthetic opioids; amending RCW 13.34.050, 26.44.050, 26.44.056, 26.44.030, and 2.56.230; reenacting and amending RCW 13.34.065 and 74.14B.005; adding a new section to chapter 74.13 RCW; adding new sections to chapter 74.14B RCW; adding new sections to chapter 43.216 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 6110 by Senator Keiser

AN ACT Relating to modernizing the child fatality statute; and amending RCW 70.05.170.

Referred to Committee on Human Services.

SB 6111 by Senators Conway, Saldaña, Trudeau, Randall, Lovick and Keiser; by request of Attorney General

AN ACT Relating to prevailing wage sanctions, penalties, and debarment; amending RCW 39.12.010; adding a new section to chapter 39.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 6112 by Senator Lovick

AN ACT Relating to authorizing a business and occupation tax credit for the cost of donated food items by grocery stores and other food retailers; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6113 by Senator Lovick

AN ACT Relating to fair access to community solar; amending RCW 80.28.370, 80.28.375, and 82.16.182; adding new sections to chapter 80.28 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 6114 by Senators Liias and Billig

AN ACT Relating to requiring local airport operators to provide sustainable aviation fuel for use in private jets; adding a new section to chapter 14.08 RCW; adding a new section to chapter 19.94 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 6115 by Senators King and Liias; by request of Department of Transportation

AN ACT Relating to speed safety camera systems; amending RCW 46.16A.120, 46.20.270, 46.63.110, and 46.63.200; and prescribing penalties.

Referred to Committee on Transportation.

SB 6116 by Senator Fortunato

AN ACT Relating to the organization of interscholastic athletics; amending RCW 28A.600.200 and 28B.10.703; adding a new section to chapter 28A.600 RCW; and adding a new section to chapter 28B.10 RCW.

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

SB 6117 by Senator Fortunato

AN ACT Relating to the designation of the state stone; and adding a new section to chapter 1.20 RCW.

Referred to Committee on State Government & Elections.

SB 6118 by Senators Van De Wege, Braun, and Keiser

AN ACT Relating to protecting public health and safety by enhancing the regulation of vapor products; adding a new section to chapter 70.345 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 6119 by Senators Holy and Braun

AN ACT Relating to use of force by law enforcement; and reenacting and amending RCW 10.120.020.

Referred to Committee on Law & Justice.

SB 6120 by Senator Van De Wege

AN ACT Relating to the Wildland Urban Interface Code; amending RCW 19.27.031, 19.27.074, and 19.27.560; and declaring an emergency.

Referred to Committee on State Government & Elections.

SB 6121 by Senator Van De Wege

AN ACT Relating to biochar production from agricultural and forestry biomass; amending RCW 70A.15.1030, 70A.15.5090, 70A.15.5120, and 70A.15.5140; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 6122 by Senators Conway and Stanford

AN ACT Relating to alcohol delivery; amending RCW 66.20.310 and 66.24.710; adding a new section to chapter 66.24 RCW; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Labor & Commerce.

SB 6123 by Senators Wellman, Wilson, C., Kauffman, Hunt, Shewmake, Cleveland and Keiser

AN ACT Relating to classified school employee salaries; and amending RCW 28A.150.410.

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

SB 6124 by Senators Holy and Keiser

AN ACT Relating to allowing state employees living in an emergency or disaster area to receive shared leave; and amending RCW 41.04.665.

Referred to Committee on State Government & Elections.

SB 6125 by Senators Kauffman, Frame, Wellman, Trudeau and Wilson, J.

AN ACT Relating to preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state; adding a new section to chapter 40.14 RCW; and creating new sections.

Referred to Committee on State Government & Elections.

SB 6126 by Senators Kauffman, Boehnke, Frame Wellman, Trudeau, and Nobles

AN ACT Relating to increasing access to respite care for those with intellectual or developmental disabilities and their caregivers; adding a new section to chapter 71A.12 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 6127 by Senators Liias, Rivers, Muzzall, and Randall

AN ACT Relating to increasing access to human immunodeficiency virus postexposure prophylaxis drugs or therapies; amending RCW 70.41.480; adding a new section to chapter 70.41 RCW; adding a new section to chapter 43.70 RCW; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6128 by Senators Liias and Rivers

AN ACT Relating to prohibiting the use of certain animals in traveling animal acts; adding a new chapter to Title 9 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6129 by Senator McCune

AN ACT Relating to conducting regular trafficking assessments for children in the care, custody, or service of the department of children, youth, and families; and adding a new section to chapter 43.216 RCW.

Referred to Committee on Human Services.

SB 6130 by Senator McCune

AN ACT Relating to human trafficking training for criminal justice personnel; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

SB 6131 by Senator McCune

AN ACT Relating to the definition of employee in regard to Nwauzor v. The GEO Grp., Inc.; amending RCW 49.46.010; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 6132 by Senator McCune

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AN ACT Relating to human trafficking reporting; and adding a new section to chapter 43.43 RCW.

Referred to Committee on Law & Justice.

SB 6133 by Senator McCune

AN ACT Relating to deterring robberies from cannabis retail establishments; amending RCW 9.94A.832; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Law & Justice.

SB 6134 by Senator Gildon

AN ACT Relating to preventing overdose and illicit use of opioids in Washington state; adding new sections to chapter 43.70 RCW; and making an appropriation.

Referred to Committee on Health & Long-Term Care.

SB 6135 by Senator Wilson, C.

AN ACT Relating to programs for eligible recipients of temporary assistance to needy families; adding a new section to chapter 74.04 RCW; and creating new sections.

Referred to Committee on Human Services.

SB 6136 by Senators Kuderer Frame

AN ACT Relating to a business and occupation tax on the privilege of providing property for rent and supporting access to affordable rental property by exempting from tax landlords participating in a rent stabilization program; adding new sections to chapter 82.04 RCW; adding a new section to chapter 43.330 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Housing.

SB 6137 by Senators Cleveland and Wilson, L.

AN ACT Relating to reinstating semiconductor tax incentives; amending RCW 82.04.2404, 82.08.9651, and 82.12.9651; reenacting and amending RCW 82.32.790, 82.04.426, 82.04.448, 82.08.965, 82.08.970, 82.12.965, 82.12.970, and 84.36.645; adding a new section to chapter 82.04 RCW; creating new sections; providing a contingent effective date; providing expiration dates; providing contingent expiration dates; and declaring an emergency.

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

SB 6138 by Senator Shewmake

AN ACT Relating to promoting the establishment of thermal energy networks; amending RCW 80.04.010 and 80.28.110; adding new sections to chapter 80.28 RCW; adding a new section to chapter 43.31 RCW; adding a new section to chapter 44.28 RCW; adding a new section to chapter 54.16 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6139 by Senators Conway and Hunt; by request of Office of Financial Management

AN ACT Relating to changing the health insurance subsidy rate for retired state employees and retired or disabled school

employees; amending RCW 41.05.085; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6140 by Senators Short and Lovelett

AN ACT Relating to limited areas of more intensive rural development; and amending RCW 36.70A.070.

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

SB 6141 by Senator Boehnke; by request of Military Department

AN ACT Relating to creating a state administered public infrastructure assistance program within the emergency management division; amending RCW 38.52.010 and 38.52.030; and creating a new section.

Referred to Committee on State Government & Elections.

SB 6142 by Senator MacEwen

AN ACT Relating to prosecution and public defense funding; and adding a new section to chapter 36.26 RCW.

Referred to Committee on Law & Justice.

SB 6143 by Senators Salomon and Kauffman

AN ACT Relating to local salmon habitat recovery planning in critical areas; amending RCW 36.70A.050 and 36.70A.172; reenacting and amending RCW 36.70A.130; adding a new section to chapter 36.70A RCW; and creating a new section.

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

SB 6144 by Senators Randall, Rivers, Muzzall, Dhingra, Robinson and Van De Wege

AN ACT Relating to establishing a prescribing psychologist certification in Washington state; amending RCW 18.83.010, 18.83.035, 18.83.050, 18.83.080, 18.83.090, 18.64.011, and 18.79.260; reenacting and amending RCW 69.50.101; adding new sections to chapter 18.83 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6145 by Senators Van De Wege and Cleveland

AN ACT Relating to continued health benefits during paid family and medical leave for firefighters of small fire districts; and amending RCW 50A.35.020.

Referred to Committee on Labor & Commerce.

SB 6146 by Senators Dhingra, Kauffman, Robinson, Stanford, Hasegawa, Randall and Wellman

AN ACT Relating to tribal warrants; and adding a new chapter to Title 10 RCW.

Referred to Committee on Law & Justice.

SB 6147 by Senator Shewmake

AN ACT Relating to protecting and preserving the Puget Sound salmon purse seine fishing industry; adding a new

section to chapter 77.12 RCW; creating new sections; making an appropriation; and providing expiration dates.

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

SB 6148 by Senator Rivers

AN ACT Relating to establishing maternal and perinatal quality of care metrics for Washingtonians on medicaid; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6149 by Senator Wilson, J.

AN ACT Relating to designating kimchi day; reenacting and amending RCW 1.16.050; and creating a new section.

Referred to Committee on State Government & Elections.

SB 6150 by Senators Cleveland, MacEwen and Rivers

AN ACT Relating to extending the comprehensive plan revision schedule for select local governments; and reenacting and amending RCW 36.70A.130.

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

SB 6151 by Senators Randall, Wilson, C., Nobles, Trudeau, Kuderer and Dhingra

AN ACT Relating to the provision of an ultrasound; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6152 by Senators Cleveland, Shewmake, Rivers, Frame,

Salomon, Trudeau, Nguyen, Keiser, Lias and Pedersen
AN ACT Relating to requiring certain counties to measure the gap between estimated existing housing units and existing housing needs to meet local housing demands; amending RCW 43.155.070; adding a new section to chapter 36.70A RCW; and creating a new section.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

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

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

Referred to Committee on State Government & Elections.

ESHB 1245 by House Committee on Housing (originally sponsored by Representatives Barkis, Robertson, Wylie, Fitzgibbon, Peterson, Walsh, Chambers, Kloba,

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AN ACT Relating to increasing housing options through lot splitting; adding a new section to chapter 36.70A RCW; and creating a new section.

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

HB 1455 by Representatives Stonier, Berry, Farivar, Rude, Fey,

Reed, Morgan, Thai, Fosse, Pollet, Macri and Bateman
AN ACT Relating to eliminating child marriage; amending RCW 26.04.010, 26.04.130, and 26.04.210; and creating a new section.

Referred to Committee on Law & Justice.

MOTIONS

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

At 1:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, January 11, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, January 11, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

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

MESSAGE FROM THE SECRETARY OF STATE

**CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
I-2113**

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2113 to be examined in the following manner:

1. It was determined that 434, 594 signatures were submitted by the sponsors of the initiative. A random sample of 13,038 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,579 valid signatures, 2,447 signatures that were invalid and 12 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling 74 by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (84,039) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (26,039) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (23) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (15) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of

signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2113 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington, this 11th day of January, 2024.

/s/
STEVE HOBBS, Secretary of State

(Seal)

Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
Administration Division
PO Box 40100 • Olympia, WA 98504-0100 • (360) 753-6200

June 7, 2023

The Honorable Steve Hobbs
Elections Division
ATTN: Initiative and Referendum
POBox40220
Olympia, WA 98504-0220

Re: Initiative No. 2113

Dear Secretary Hobbs:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2113 to the Legislature (an act relating to restoring the authority of a peace officer to engage in a vehicular pursuit when there is reasonable suspicion a person has violated the law and the officer follows appropriate safety standards).

BALLOT TITLE

Statement of Subject: Initiative Measure No. 2113 concerns vehicular pursuits by peace officers.

Concise Description: This measure would remove certain restrictions on vehicular pursuits, allowing them upon conditions including an officer's reasonable suspicion a person has violated the law and poses a threat to the safety of others.

Should this measure be enacted into law? Yes [] No []

BALLOT MEASURE SUMMARY

This measure would remove certain restrictions on when peace officers may engage in vehicular pursuits. Such pursuits would be allowed when the officer has a reasonable suspicion a person has violated the law, pursuit is necessary to identify or apprehend the person, the person poses a threat to the safety of others, those safety risks are greater than those of the pursuit, and a supervisor authorizes the pursuit.

Sincerely,
/s/
ALEXIA DIORIO
Assistant Attorney General

Initiative Measure No. 2113
Filed May 25, 2023

AN ACT Relating to restoring the authority of a peace officer to engage in a vehicular pursuit when there is reasonable suspicion a person has violated the law and the officer follows appropriate safety standards; and amending RCW 10.116.060.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 10.116.060 and 2023 c 235 s 1 are each amended to read as follows:

(1) A peace officer may not engage in a vehicular pursuit, unless:

(a) There is reasonable suspicion ~~((to believe that))~~ a person ~~((in the vehicle has committed or is committing:~~

- ~~(i) A violent offense as defined in RCW 9.91A.030;~~
- ~~(ii) A sex offense as defined in RCW 9.94A.030;~~
- ~~(iii) A vehicular assault offense under RCW 16.61.522;~~
- ~~(iv) An assault in the first, second, third, or fourth degree offense under chapter 9A.36 RCW only if the assault involves domestic violence as defined in RCW 10.99.020;~~
- ~~(v) An escape under chapter 9A.76 RCW; or~~
- ~~(vi) A driving under the influence offense under RCW 46.61.502)) has violated the law;~~

(b) The pursuit is necessary for the purpose of identifying or apprehending the person;

(c) The person poses a ~~((serious risk of harm to))~~ threat to the safety of others and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks of the vehicular pursuit under the circumstances; and

(d)(i) Except as provided in (d)(ii) of this subsection, the pursuing officer notifies a supervising officer immediately upon initiating the vehicular pursuit; there is supervisory oversight of the pursuit; and the pursuing officer, in consultation with the supervising officer, considers alternatives to the vehicular pursuit, the justification for the vehicular pursuit and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle;

(ii) For those jurisdictions with fewer than 15 commissioned officers, if a supervisor is not on duty at the time, the pursuing officer requests the on-call supervisor be notified of the pursuit according to the agency's procedures, and the pursuing officer considers alternatives to the vehicular pursuit, the justification for the vehicular pursuit, and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle.

(2) In any vehicular pursuit under this section:

(a) The pursuing officer and the supervising officer, if applicable, shall comply with any agency procedures for designating the primary pursuit vehicle and determining the appropriate number of vehicles permitted to participate in the vehicular pursuit;

(b) The supervising officer, the pursuing officer, or dispatcher shall notify other law enforcement agencies or surrounding jurisdictions that may be impacted by the vehicular pursuit or called upon to assist with the vehicular pursuit, and the pursuing officer and the supervising officer, if applicable, shall comply with any agency procedures for coordinating operations with other jurisdictions, including available tribal police departments when applicable;

(c) The pursuing officer must be able to directly communicate

with other officers engaging in the pursuit, the supervising officer, if applicable, and the dispatch agency, such as being on a common radio channel or having other direct means of communication;

(d) As soon as practicable after initiating a vehicular pursuit, the pursuing officer, supervising officer, if applicable, or responsible agency shall develop a plan to end the pursuit through the use of available pursuit intervention options, such as the use of the pursuit intervention technique, deployment of spike strips or other tire deflation devices, or other department authorized pursuit intervention tactics; and

(e) The pursuing officer must have completed an emergency vehicle operator's course, must have completed updated emergency vehicle operator training in the previous two years, where applicable, and must be certified in at least one pursuit intervention option. Emergency vehicle operator training must include training on performing the risk assessment analysis described in subsection (1)(c) of this section.

(3) A vehicle pursuit not meeting the requirements under this section must be terminated.

(4) A peace officer may not fire a weapon upon a moving vehicle unless necessary to protect against an imminent threat of serious physical harm resulting from the operator's or a passenger's use of a deadly weapon. For the purposes of this subsection, a vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer.

(5) For purposes of this section, "vehicular pursuit" means an attempt by a uniformed peace officer in a vehicle equipped with emergency lights and a siren to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle and the operator of the moving vehicle appears to be willfully resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a reckless manner that endangers the safety of the community or the officer.

MOTION

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

MESSAGES FROM THE HOUSE

January 10, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1113, and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

January 10, 2024

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1105, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277, HOUSE BILL NO. 1471, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

FOURTH DAY, JANUARY 11, 2024

SB 6153 by Senators Kuderer and Lovick

AN ACT Relating to peace officer hiring and certification; amending RCW 41.12.070, 41.12.100, 41.14.100, 41.14.130, 43.43.020, and 43.43.360; adding a new section to chapter 43.101 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SB 6154 by Senator Torres; by request of Secretary of State

AN ACT Relating to updating process service requirements for corporations in Washington state; amending RCW 4.28.080, 4.28.100, and 46.64.040; and repealing RCW 4.28.090.

Referred to Committee on Law & Justice.

SB 6155 by Senator Wagoner

AN ACT Relating to establishing a statewide policy on camping on public property; adding a new section to chapter 9A.52 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6156 by Senators Nobles and Trudeau

AN ACT Relating to increasing representation and voter participation in local elections; amending RCW 29A.60.221, 29A.52.112, 29A.52.220, 29A.24.010, 36.32.040, 36.32.050, 35A.12.040, 28A.343.320, 29A.04.410, 29A.12.080, and 29A.36.121; reenacting and amending RCW 29A.36.170; adding a new section to chapter 29A.52 RCW; adding a new section to chapter 29A.04 RCW; adding a new section to chapter 52.14 RCW; adding a new section to chapter 53.12 RCW; creating new sections; repealing RCW 29A.04.127; and providing an expiration date.

Referred to Committee on State Government & Elections.

SB 6157 by Senator Lovick

AN ACT Relating to reforming civil service to permit deferred action for childhood arrivals recipients to apply for civil service and incorporate civil service advantage for bilingual and multilingual applicants, applicants with higher education, and applicants with prior work experience in social services; amending RCW 9.41.060, 9.41.171, 41.08.070, 41.12.070, 41.14.100, 77.15.075, and 43.101.095; adding a new section to chapter 41.04 RCW; and adding a new section to chapter 10.93 RCW.

Referred to Committee on State Government & Elections.

SB 6158 by Senators Wilson, J. and Dozier

AN ACT Relating to public facilities districts; and amending RCW 82.14.390, 82.14.485, and 36.100.130.

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

SB 6159 by Senators Nobles and Pedersen; by request of Superintendent of Public Instruction

AN ACT Relating to adding the superintendent's designee to task forces and boards; and amending RCW 28A.305.011, 43.30.205, and 43.59.030.

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

SB 6160 by Senator MacEwen

AN ACT Relating to penalties for unlawfully obstructing traffic; amending RCW 9A.84.020 and 9A.84.030; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6161 by Senators Cleveland and Rivers

AN ACT Relating to provider contract compensation; adding a new section to chapter 48.43 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SB 6162 by Senators Schoesler and Pedersen

AN ACT Relating to a penalty for excessive fees for locating abandoned property held by a county; adding a new section to chapter 63.30 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6163 by Senators Wilson, J. and Lovelett

AN ACT Relating to biosolids; amending RCW 70A.226.005, 70A.226.007, 70A.226.010, 70A.226.020, and 70A.226.030; and adding a new section to chapter 70A.226 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6164 by Senator Wagoner

AN ACT Relating to county emergency management plans; and amending RCW 38.52.070.

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

SB 6165 by Senators Cleveland and Muzzall

AN ACT Relating to wellness programs for certain health care professionals; amending RCW 18.130.020 and 18.130.070; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6166 by Senators Saldaña and Torres

AN ACT Relating to extending the pesticide application safety committee; amending RCW 70.104.110; amending 2019 c 327 s 1 (uncodified); and providing expiration dates.

Referred to Committee on Labor & Commerce.

SB 6167 by Senator Hasegawa

AN ACT Relating to adopting the recommendations of the capital projects advisory review board regarding local government procurement rules among special purpose districts, first-class and second-class cities, and public utility districts; reenacting and amending RCW 54.04.070, 35.23.352, 35.22.620, 57.08.050, and 52.14.110; creating a new section; and providing an effective date.

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

SB 6168 by Senator Stanford

AN ACT Relating to renewing Washington's international leadership; amending RCW 43.290.005, 43.290.020, 43.330.065, 43.15.050, 43.15.060, and 43.15.090; adding new sections to chapter 43.290 RCW; adding a new section to chapter 44.04 RCW; and repealing RCW 43.15.085.

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

SB 6169 by Senators Wilson, L. and Wagoner

AN ACT Relating to increasing the potential pool of law enforcement hires by allowing active and retired law enforcement and military personnel to import certain firearms for personal use; amending RCW 9.41.390; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 6170 by Senators Wilson, L. and Mullet

AN ACT Relating to legislative oversight of moneys received from enforcement actions; amending RCW 43.79.270 and 43.10.220; adding a new section to chapter 43.79 RCW; creating a new section; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 6171 by Senator Wilson, L.

AN ACT Relating to studying child care for criminal justice personnel; and creating a new section.

Referred to Committee on Human Services.

SB 6172 by Senators Nobles and Randall

AN ACT Relating to birth doulas; amending RCW 18.47.010 and 18.47.030; and adding a new section to chapter 18.47 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6173 by Senators Nobles and Trudeau

AN ACT Relating to affordable and supportive housing sales and use taxes and encouraging investments in affordable homeownership unit development; and amending RCW 82.14.540.

Referred to Committee on Housing.

SB 6174 by Senator Wilson, J.

AN ACT Relating to coordinating the scheduling of mowing and litter pickup along state highways; amending RCW 70A.200.170; and creating a new section.

Referred to Committee on Transportation.

SB 6175 by Senators Trudeau and Billig

AN ACT Relating to housing affordability tax incentives for existing structures; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 84 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Housing.

SB 6176 by Senator Wagoner

AN ACT Relating to addressing payments received due to a state enforcement action; and adding a new section to chapter 43.79 RCW.

Referred to Committee on State Government & Elections.

SB 6177 by Senators Stanford, Shewmake, Dhingra, Valdez, Saldaña, Conway, Keiser, Randall, Liias, Kauffman, Trudeau and Wellman

AN ACT Relating to establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits; amending RCW 70.02.030; and adding a new section to chapter 70.02 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6178 by Senators Randall, Torres, Nobles, Trudeau, Kuderer and Dhingra

AN ACT Relating to aligning the legend drug act to reflect the prescriptive authority for licensed midwives; and amending RCW 69.41.010 and 69.41.030.

Referred to Committee on Health & Long-Term Care.

SB 6179 by Senators MacEwen and Keiser

AN ACT Relating to the use of biometric age verification by liquor licensees; and amending RCW 66.20.170.

Referred to Committee on Labor & Commerce.

SB 6180 by Senator Lovick

AN ACT Relating to improving the outcomes associated with waste material management systems, including products affecting organic material management systems; amending RCW 70A.207.020, 70A.214.100, 70A.205.540, 70A.205.545, 15.130.300, 15.130.550, 70A.455.040, 70A.455.070, 70A.455.090, 15.04.420, and 43.19A.150; reenacting and amending RCW 70A.455.020; adding new sections to chapter 70A.207 RCW; adding a new section to chapter 43.23 RCW; adding new sections to chapter 70A.205 RCW; adding a new section to chapter 15.130 RCW; adding new sections to chapter 70A.455 RCW; adding a new section to chapter 19.27 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 6181 by Senator Liias

AN ACT Relating to law enforcement officer definition; amending RCW 43.101.010; and reenacting and amending RCW 10.93.020.

Referred to Committee on Law & Justice.

SB 6182 by Senator Rivers

AN ACT Relating to providing prescription drug coverage for the treatment of obesity; adding a new section to chapter 41.05 RCW; adding a new section to chapter 74.09 RCW; and creating a new section.

FOURTH DAY, JANUARY 11, 2024

Referred to Committee on Health & Long-Term Care.

SB 6183 by Senator Rivers

AN ACT Relating to requirements for fund-raising events of bona fide charitable or nonprofit organizations; amending RCW 9.46.0277, 9.46.0315, 9.46.0321, 9.46.0323, 9.46.070, and 9.46.240; and adding new sections to chapter 9.46 RCW.

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

SB 6184 by Senator Rivers

AN ACT Relating to deepfake artificial intelligence-generated pornographic material involving minors; amending RCW 9.68A.011; reenacting and amending RCW 9A.44.010 and 9.94A.515; adding a new section to chapter 9.68A RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6185 by Senators Lovelett, Kauffman and Wilson, C.

AN ACT Relating to adding two voting members that are transit users to the governing body of public transportation benefit areas; amending RCW 36.57A.050; and providing an effective date.

Referred to Committee on Transportation.

SB 6186 by Senators Kauffman and Dhingra

AN ACT Relating to disclosure of recipient location to the Washington state patrol for purposes of locating missing and murdered indigenous women and other missing and murdered indigenous persons; and amending RCW 74.04.062.

Referred to Committee on Human Services.

SB 6187 by Senator Saldaña

AN ACT Relating to the body scanner pilot program at the department of corrections; and amending RCW 72.09.775.

Referred to Committee on Human Services.

SB 6188 by Senator Boehnke

AN ACT Relating to authorizing authorities to address aerial firefighting aspects as part of permitting processes for communities at risk of wildfires; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 80.50 RCW; and creating new sections.

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

SB 6189 by Senators Saldaña and Wilson, C.

AN ACT Relating to transparency, public safety, and independent oversight of the city, county, and regional jail system in Washington state; amending RCW 70.48.510; and adding a new chapter to Title 43 RCW.

Referred to Committee on Human Services.

SB 6190 by Senator Rivers

AN ACT Relating to requirements for fund-raising activities of bona fide charitable nonprofit organizations; amending RCW 9.46.0311 and 9.46.070; and adding a new section to chapter 9.46 RCW.

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

SB 6191 by Senators Frame, Nguyen, Saldaña, Dhingra, Keiser, Wellman, Hunt, Hasegawa, Trudeau, Lovelett, Wilson, C., Stanford, Kuderer, Conway, Cleveland, Pedersen and Valdez

AN ACT Relating to increasing the supply of affordable and workforce housing by reducing taxes on real property sales under \$3,025,000, modifying the state and local real estate excise tax, and imposing a surcharge on the transfer of multimillion dollar properties; amending RCW 82.45.060, 82.45.010, and 82.45.010; adding new sections to chapter 82.45 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

MOTIONS

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

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, January 12, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, January 12, 2024

The Senate was called to order at 12:30 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTIONS

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

On motion of Senator Frame, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 11, 2024

SB 5508 Prime Sponsor, Senator Short: Promoting local agriculture through greenhouses. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 11, 2024

SB 5517 Prime Sponsor, Senator Warnick: Enacting recommendations from the joint legislative task force on water resource mitigation. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5517 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Liias; Short; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Salomon, Vice Chair; Shewmake and Stanford.

Referred to Committee on Ways & Means.

January 11, 2024

SB 5667 Prime Sponsor, Senator Muzzall: Concerning eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5667 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Liias; Shewmake; Short; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Salomon, Vice Chair and Stanford.

Referred to Committee on Ways & Means.

January 11, 2024

SB 5787 Prime Sponsor, Senator Pedersen: Enacting the uniform electronic estate planning documents act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5787 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 11, 2024

SB 5788 Prime Sponsor, Senator Pedersen: Concerning service animal training. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5788 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 11, 2024

SB 5827 Prime Sponsor, Senator Shewmake: Adding an additional superior court judge in Whatcom county. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 11, 2024

SB 5836 Prime Sponsor, Senator Wilson, L.: Adding an additional superior court judge in Clark county. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Frame, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Frame, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

FIFTH DAY, JANUARY 12, 2024

The following reports were submitted to and received by the office of the Secretary of the Senate:

Commerce, Department of - "*Clean Energy Transformation Act (CETA) Interim Assessment*", in accordance with 19.405.080 RCW; "*Low Earth Orbit (LEO) Satellite Feasibility Report*", pursuant to Senate Bill No. 5200; "*Green Electrolytic Hydrogen and Renewable Fuels: Recommendations for Deployment in Washington*", pursuant to Substitute Senate Bill No. 5910; "*Direct Appropriations Status Report 2023*", pursuant to Engrossed Substitute Senate Bill No. 5200; "*Impact Fee Deferral Report, 2023*", in accordance with 43.31.980 RCW; "*Fire Service Delivery Report*", pursuant to Senate Bill No. 5187; "*Office of Firearm Safety and Violence Prevention 2023 Report*", in accordance with 43.330A.020 RCW; "*Washington Transportation Electrification Strategy; Developed by the Interagency Electric Vehicle Coordinating Council*", in accordance with 43.392.040 RCW;

Courts, Administration Office of the - "*District and Municipal Court Judges' Association Annual Report for 2023*", in accordance with 3.70.040 RCW;

Criminal Justice Training Commission, Washington State - "*LETCSA Violence De-Escalation Training - Compliance and Implementation*", in accordance with Engrossed Second Substitute House Bill No. 1310;

Fish and Wildlife, Department of - "*Coastal Marine Resources Committees Program, 2024 Report to the Legislature*", in accordance with 36.125.060 RCW; "*Derelict Shellfish Gear*", in accordance with 77.32.430 RCW; "*Washington Animal Trafficking Act Report*", in accordance with 77.15.135 RCW;

Foundation For Tacoma Students - "*Making the Case; A Policy Blueprint for Increasing Financial Aid Uptake*", in accordance with 43.01.036 RCW;

Health Care Authority - "*Study on Contracting for Administration of UMP; UMP Third Party Administration*", pursuant to Engrossed Substitute Senate Bill No. 5693; "*Behavioral Health Provider Relief Expenditures; Accounting of One-Time Assistance Payments to Address Behavioral Health Treatment Access Issues*", pursuant to Engrossed Substitute Senate Bill No. 5693;

Insurance Commissioner, Office of the - "*Health Plan Prior Authorization Data, 2023 Report*", pursuant to Engrossed Substitute Senate Bill No. 6404 48.43.0161 RCW;

Natural Resources, Department of - "*Monthly Fire Suppression Report, October 2023*", pursuant to Engrossed Substitute Senate Bill No. 5187;

Professional Educator Standards Board - "*Alternative Routes to Teacher Certification*", in accordance with 28A.660.020 RCW; "*Multilingual Educator Report; Aligning Bilingual Education and English Language Learner Endorsement Standards; Determining Language Assessment Requirements for Multilingual Teachers and Paraeducators*", pursuant to Engrossed Substitute Senate Bill No. 5187;

Public Instruction, Office of the Superintendent of - "*Educational Technology Assessment*", in accordance with 28A.655.075 RCW; "*UPDATE: Safety Net Survey 2023*", in accordance with 28A.150.392 RCW;

Revenue, Department of - "*Tax Exemption Study for 2024*", in accordance with 43.06.400 RCW;

Sheriffs and Police Chiefs, Washington Association of - "*Racial Profiling Progress Report 2023*", in accordance with 43.101 RCW;

Social & Health Services, Department of - "*Contracted Community Residential Services Rate Study Report*", pursuant to Senate Bill No. 5693; "*Special Commitment Center*

Recommendations Regarding Conditional Release Less Restrictive Alternatives", pursuant to Engrossed Substitute Senate Bill No. 5187; "*Addressing Home Care Workforce Shortages: Exploring Paying Parents of Minors to Provide Personal Care*", pursuant to Engrossed Second Substitute House Bill No. 1694;

Student Achievement Council - "*Aerospace Training Student Loan Program Annual Report*", in accordance with 28B.122.060 RCW;

Transportation, Department of - "*Civilian Intervention Programs Report*", pursuant to Engrossed Substitute House Bill No. 1125; "*Washington State Ferries Passenger Demographic Survey Report*", pursuant to Engrossed Substitute House Bill No. 1125;

Washington State Leadership Board - "*FY 2023 Report*", in accordance with 43.388.010 RCW; "*FY 2023 Report Letter of Transmittal*", in accordance with 43.388.010 RCW;

Washington State Patrol - "*Report on Utility Incentives*", pursuant to Engrossed Substitute House Bill No. 1125;

Washington Technology Solutions - "*Statewide Electronic Health Records (EHR) Plan*", Senate Bill No. 5187; "*Statewide Electronic Health Records Plan Letter of Transmittal*", Senate Bill No. 5187.

MOTION

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

MESSAGES FROM THE HOUSE

January 11, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1146,

SUBSTITUTE HOUSE BILL NO. 1241,

SUBSTITUTE HOUSE BILL NO. 1717,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

January 11, 2024

MR. PRESIDENT:

The House has passed:

SECOND ENGROSSED HOUSE BILL NO. 1757,

and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SI 2113

Concerning compliance with the housing element requirements of the growth management act.

Referred to Committee on Law & Justice.

SB 6192 by Senators King and Stanford

AN ACT Relating to additional work and change orders on public and private construction projects; and amending RCW 39.04.360.

Referred to Committee on Labor & Commerce.

SB 6193 by Senators Salomon and Warnick
AN ACT Relating to a rangeland fire protection association pilot project; adding new sections to chapter 76.04 RCW; creating a new section; and providing expiration dates.

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

SB 6194 by Senators Stanford and Saldaña
AN ACT Relating to state legislative employee collective bargaining; amending RCW 44.90.020, 44.90.030, 44.90.050, 44.90.060, 44.90.070, 44.90.080, and 44.90.090; adding new sections to chapter 44.90 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 6195 by Senator Braun
AN ACT Relating to addressing the current backlog of vehicle inspections; amending RCW 46.12.560; and adding a new section to chapter 46.09 RCW.

Referred to Committee on Transportation.

SB 6196 by Senators Kauffman, Wilson, C., Frame, Nguyen, and Keiser
AN ACT Relating to creating the evergreen basic income pilot program; amending RCW 74.04.005, 43.216.1368, 43.185C.220, 74.04.805, 26.19.071, and 70.170.060; reenacting and amending RCW 10.101.010; adding a new section to chapter 43.216 RCW; adding a new chapter to Title 74 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 6197 by Senators Holy, Conway, and Van De Wege; by request of LEOFF Plan 2 Retirement Board
AN ACT Relating to the law enforcement officers' and firefighters' retirement system plan 2; amending RCW 41.26.048, 41.26.030, 41.26.030, 41.50.130, and 41.26.470; adding a new section to chapter 41.26 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6198 by Senators Holy, Conway, and Van De Wege; by request of LEOFF Plan 2 Retirement Board
AN ACT Relating to employees of the law enforcement officers' and firefighters' plan 2 retirement board; and amending RCW 41.06.070 and 41.26.717.

Referred to Committee on State Government & Elections.

SB 6199 by Senator Dozier
AN ACT Relating to requiring housing authorities to use notification methods designed to provide evidence of delivery; and adding a new section to chapter 35.82 RCW.

Referred to Committee on Housing.

SB 6200 by Senators Lovick and Dhingra
AN ACT Relating to penalties related to eluding police vehicles and resisting arrest; amending RCW 46.55.113, 46.55.360, 46.55.370, 13.40.040, 9.94A.501, 9.94A.701,

9.94A.703, and 13.40.210; adding a new section to chapter 46.61 RCW; and adding a new section to chapter 10.21 RCW.

Referred to Committee on Law & Justice.

SB 6201 by Senators King and Keiser; by request of Liquor and Cannabis Board
AN ACT Relating to establishing civil penalties for the unlawful sale or supply of alcohol to minors; amending RCW 66.44.270; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 6202 by Senators Kauffman and Lovelett
AN ACT Relating to technical changes to allowable exemptions from charges for tourism promotion area assessments; amending RCW 35.101.055; and creating a new section.

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

SB 6203 by Senator Mullet
AN ACT Relating to the rental of self-service storage facilities; and adding a new section to chapter 19.150 RCW.

Referred to Committee on Housing.

SB 6204 by Senators McCune, Wilson, J., Holy, Padden, Fortunato, Warnick and Wagoner
AN ACT Relating to the school districts' authority to establish their curriculum; amending RCW 28A.150.230; and repealing RCW 28A.300.475.

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

SB 6205 by Senators McCune and Wilson, J.
AN ACT Relating to mandating instruction on the meaning and history of the pledge of allegiance in public schools; and amending RCW 28A.230.140.

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

SB 6206 by Senator Short
AN ACT Relating to receivership of public water systems; and amending RCW 43.70.195 and 70A.100.050.

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

SB 6207 by Senators Dhingra and Lovelett; by request of Office of Independent Investigations
AN ACT Relating to updating processes of the office of independent investigations by changing authority to obtain and share investigative information and aligning with current operations and practices; amending RCW 43.102.010, 43.102.050, 43.102.080, 43.102.100, 43.102.120, and 43.102.800; and providing an expiration date.

Referred to Committee on Law & Justice.

FIFTH DAY, JANUARY 12, 2024

SB 6208 by Senators Nobles and Trudeau

AN ACT Relating to modifying requirements for public school instructional materials and supplemental instructional materials by prohibiting improper exclusions of certain materials, establishing complaint procedures, and promoting culturally and experientially representative materials; amending RCW 28A.320.230 and 28A.642.020; adding new sections to chapter 28A.320 RCW; and adding a new section to chapter 28A.642 RCW.

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

SB 6209 by Senator Rivers

AN ACT Relating to hemp consumable products; and amending RCW 15.140.040 and 69.07.220.

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

SB 6210 by Senator Mullet

AN ACT Relating to unlawful detainer actions; amending RCW 59.12.050, 59.18.050, 59.18.380, and 59.18.640; creating a new section; and making an appropriation.

Referred to Committee on Housing.

SB 6211 by Senator McCune

AN ACT Relating to creating clarity and consistency in rental agreements under the manufactured/mobile home landlord-tenant act; and amending RCW 59.20.090.

Referred to Committee on Housing.

SB 6212 by Senators Shewmake, Nguyen, Cleveland, and Van De Wege

AN ACT Relating to requiring landlords to report on-time rent payments to consumer reporting agencies; adding a new section to chapter 59.18 RCW; and adding a new section to chapter 59.20 RCW.

Referred to Committee on Housing.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1105 by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Kloba, Abbarno and Thai)

AN ACT Relating to requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted; and adding a new section to chapter 42.30 RCW.

Referred to Committee on State Government & Elections.

ESHB 1113 by House Committee on Education (originally sponsored by Representatives Harris, Santos and Stonier)

AN ACT Relating to reprimands for professional educators; adding a new section to chapter 28A.410 RCW; creating a new section; and providing an expiration date.

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

ESHB 1277 by House Committee on Education (originally sponsored by Representatives Donaghy, Harris, Slatter, Kloba, Reeves, Reed, Ormsby and Pollet; by request of Professional Educator Standards Board)

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

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

HB 1471 by Representatives Stearns, Ramos, Gregerson and Ryu; by request of Department of Enterprise Services

AN ACT Relating to modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts; amending RCW 39.26.010, 39.26.070, 39.26.130, 39.26.140, and 39.26.200; and repealing RCW 39.26.260, 39.26.270, and 39.26.271.

Referred to Committee on State Government & Elections.

ESHB 1652 by House Committee on Appropriations (originally sponsored by Representatives Taylor, Couture and Rule)

AN ACT Relating to child support pass through; amending RCW 26.23.035; adding a new section to chapter 74.08A RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

MOTIONS

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

At 12:33 p.m., on motion of Senator Frame, the Senate adjourned until 12:30 p.m. Monday, January 15, 2024.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, January 15, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

MOTION

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Law & Justice was granted special leave to continue to meet during the day's floor session.

The Sergeant at Arms Color Guard consisting of Pages Zanaida Flores Najera and Rose Ok, presented the Colors.

Page Andrew Dobbs led the Senate in the Pledge of Allegiance. Bishop Dr. Lawrence White, Pastor, Church of the Living God in Tacoma, and President, Tacoma Ministerial Alliance offered the prayer.

Mr. Providence Kamana performed "*Lift Every Voice and Sing*" and "*A Change is Gonna Come*", accompanied by Mr. Art Borders.

MOTIONS

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

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

REPORTS OF STANDING COMMITTEES

January 11, 2024

SB 5801 Prime Sponsor, Senator Dozier: Concerning special deposits. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5801 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

January 11, 2024

SB 5823 Prime Sponsor, Senator Hunt: Concerning school district elections. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Dozier and McCune.

Referred to Committee on Ways & Means.

January 12, 2024

SB 5824 Prime Sponsor, Senator Hunt: Concerning the dissolution of libraries and library districts. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

January 12, 2024

SB 5835 Prime Sponsor, Senator Wilson, L.: Concerning transparency in rule making. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5835 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 12, 2024

SB 5837 Prime Sponsor, Senator Valdez: Codifying the state election database to publish, evaluate, and analyze certain election data. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Dozier and Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J., Ranking Member.

Referred to Committee on Ways & Means.

January 12, 2024

SB 5843 Prime Sponsor, Senator Nguyen: Concerning security breaches of election systems and election-related systems. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 12, 2024

EIGHTH DAY, JANUARY 15, 2024

SB 5856 Prime Sponsor, Senator Hunt: Concerning voter registration challenges. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier and Fortunato.

Referred to Committee on Rules for second reading.

January 11, 2024

SB 5873 Prime Sponsor, Senator Wellman: Providing adequate and predictable student transportation. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier and McCune.

Referred to Committee on Ways & Means.

January 11, 2024

SB 5887 Prime Sponsor, Senator Stanford: Modifying the public accountancy act. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 12, 2024

SB 5890 Prime Sponsor, Senator Valdez: Reducing ballot rejection rates through updates to ballot curing, canvassing, reporting, and outreach processes. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5890 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 11, 2024

SJM 8009 Prime Sponsor, Senator Hasegawa: Concerning the federal harbor maintenance tax. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8009 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 11, 2024

SJR 8207 Prime Sponsor, Senator Hunt: Amending the Constitution to allow a majority of voters voting to authorize school district bonds. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Dozier and McCune.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

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

INTRODUCTION AND FIRST READING

SB 6213 by Senators Mullet and Wilson, L.; by request of Joint Legislative Audit & Review Committee

AN ACT Relating to modifying joint legislative audit and review committee studies by extending the sunset act, allowing the extension of timelines for conducting studies, and removing barriers to continuing the sustainable harvest study; and amending RCW 43.131.900, 76.04.516, and 44.28.083.

Referred to Committee on State Government & Elections.

SB 6214 by Senator Rivers

AN ACT Relating to animal cruelty in the first degree; and reenacting and amending RCW 9.94A.515.

Referred to Committee on Law & Justice.

SB 6215 by Senators Schoesler and Robinson

AN ACT Relating to improving tax and revenue laws in a manner that is not estimated to affect state or local tax collections as reflected on any fiscal note for this act, including provisions easing compliance burdens for taxpayers, clarifying ambiguities, making technical corrections, and providing administrative efficiencies; amending RCW 28A.150.412, 82.04.759, 82.32.783, and 82.12.0266; adding a new section to chapter 82.46 RCW; repealing RCW 19.02.055; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6216 by Senators Nobles and Torres; by request of Superintendent of Public Instruction

AN ACT Relating to establishing a statewide network for student mental and behavioral health to maintain, expand, and provide oversight to Washington's school-based mental and behavioral health system for children and adolescents across the state; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; and creating a new section.

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

SB 6217 by Senator McCune

AN ACT Relating to deterring robberies from retail establishments; and amending RCW 9.94A.832.

Referred to Committee on Law & Justice.

SB 6218 by Senators Van De Wege, King, Kuderer and Lovick

AN ACT Relating to dental only plans; amending RCW 48.43.743; and adding new sections to chapter 48.43 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6219 by Senators Warnick, Schoesler, Dozier, Wilson, J., Salomon, McCune, Wilson, L., Holy, Torres, Padden, Fortunato, Braun, King, Short, Rivers and Wagoner

AN ACT Relating to promoting agritourism in Washington; amending RCW 36.70A.177; adding a new section to chapter 19.27 RCW; and adding a new section to chapter 66.24 RCW.

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

SB 6220 by Senators Salomon, Shewmake, Short and Wagoner

AN ACT Relating to reducing the public health harms associated with high THC cannabis products by raising awareness, implementing and studying health interventions, and increasing the minimum legal age of sale of high THC cannabis products to prevent psychosis; amending RCW 69.50.357; adding a new section to chapter 28B.20 RCW; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6221 by Senators Salomon, Stanford and Liias

AN ACT Relating to the Washington national primate research center at the University of Washington; and adding a new section to chapter 28B.20 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 6222 by Senator Wagoner

AN ACT Relating to the number of district court judges; and amending RCW 3.34.010 and 3.34.020.

Referred to Committee on Law & Justice.

SB 6223 by Senator Nguyen; by request of Superintendent of Public Instruction

AN ACT Relating to updating school district director compensation through the development of a state-funded compensation structure; adding new sections to chapter 28A.343 RCW; creating a new section; repealing RCW 28A.343.400; and providing effective dates.

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

SB 6224 by Senators Fortunato and Padden

AN ACT Relating to newborn safe transfer; amending RCW 13.34.360; and creating a new section.

Referred to Committee on Human Services.

SB 6225 by Senator Boehnke

AN ACT Relating to siting wind energy facilities to avoid interference with military installations; adding a new section to chapter 80.50 RCW; and adding a new section to chapter 36.70B RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6226 by Senator Trudeau

AN ACT Relating to creating reporting requirements for the department of social and health service's office of fraud and accountability; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Human Services.

SB 6227 by Senator Dhingra

AN ACT Relating to allowing entry of a civil protection order to protect victims when a person is found not guilty by reason of insanity; amending RCW 10.77.110 and 7.105.450; and adding a new section to chapter 10.77 RCW.

Referred to Committee on Law & Justice.

SB 6228 by Senator Dhingra

AN ACT Relating to treatment of substance use disorders; amending RCW 71.24.618, 18.225.145, and 43.70.250; reenacting and amending RCW 41.05.017 and 18.205.095; adding new sections to chapter 71.24 RCW; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6229 by Senators Shewmake, Cleveland, King and Holy

AN ACT Relating to modifying match requirements for the green transportation capital grant program; and amending RCW 47.66.120.

Referred to Committee on Transportation.

SB 6230 by Senators Rivers, Van De Wege, Kauffman and Muzzall

AN ACT Relating to creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction and clarifying that a tax increment area must be dissolved when all bond obligations are paid; and amending RCW 39.114.020 and 39.114.050.

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

SB 6231 by Senators Lovelett and Kuderer

AN ACT Relating to prohibiting the use of hostile architecture elements for publicly accessible buildings or real property; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and providing an effective date.

EIGHTH DAY, JANUARY 15, 2024

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

SB 6232 by Senators Wilson, J. and Padden

AN ACT Relating to establishing a pilot common public records portal; creating new sections; and providing an expiration date.

Referred to Committee on State Government & Elections.

SB 6233 by Senator Wilson, L.

AN ACT Relating to substantive amendments to the state energy code for nonresidential buildings; and amending RCW 19.27A.025.

Referred to Committee on Environment, Energy & Technology.

SB 6234 by Senator Wilson, L.

AN ACT Relating to screening newborn infants for branched-chain ketoacid dehydrogenase kinase deficiency; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 6235 by Senator Wilson, L.

AN ACT Relating to the city and county criminal justice assistance accounts; amending RCW 82.14.310, 82.14.320, and 82.14.330; creating a new section; and decodifying RCW 82.14.300.

Referred to Committee on Ways & Means.

SB 6236 by Senator Wellman

AN ACT Relating to filing a declaration of intent to provide home-based instruction; and adding a new section to chapter 28A.200 RCW.

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

SB 6237 by Senators Salomon and Shewmake

AN ACT Relating to ensuring connectivity for Washington wildlife through safe passages; reenacting and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding new sections to chapter 47.04 RCW; adding a new section to chapter 77.36 RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 77.04 RCW; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Transportation.

SB 6238 by Senator Dozier

AN ACT Relating to updating thresholds for the property tax exemption for widows and widowers of honorably discharged veterans; amending RCW 84.39.010; and creating a new section.

Referred to Committee on Ways & Means.

SB 6239 by Senator Hunt

AN ACT Relating to advanced placement, international baccalaureate, and Cambridge international exams;

amending RCW 28A.600.280; and adding a new section to chapter 28A.600 RCW.

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

SB 6240 by Senator Warnick

AN ACT Relating to jet fuel; amending RCW 82.04.287, 82.04.436, and 70A.535.150; creating new sections; and providing an effective date.

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

SB 6241 by Senators Randall and King

AN ACT Relating to strengthening pay transparency requirements; and amending RCW 49.58.110.

Referred to Committee on Labor & Commerce.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1146 by Representatives Paul, Steele, Ramel, Taylor, Callan, Rude, Timmons, Chopp, Lekanoff, Duerr, Ramos, Shavers, Stonier, Pollet, Santos, Riccelli and Ormsby

AN ACT Relating to notifying high school students and their families about available dual credit programs and any available financial assistance; and adding a new section to chapter 28A.600 RCW.

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

SHB 1241 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Leavitt, Reeves, Reed, Morgan and Bronoske)

AN ACT Relating to harassment; and amending RCW 9A.46.020 and 40.24.030.

Referred to Committee on Law & Justice.

SHB 1717 by House Committee on Appropriations (originally sponsored by Representatives Rule, Corry, Paul, Stonier, Chapman, Duerr and Timmons)

AN ACT Relating to supporting innovation at associate development organizations; adding new sections to chapter 43.330 RCW; and creating a new section.

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

2EHB 1757 by Representatives Corry, Springer, Chapman, Dent and Schmidt

AN ACT Relating to providing a sales and use tax remittance to qualified farmers; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

MOTIONS

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

At 1:07 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, January 16, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

committees as designated with the exception of Senate Bill No. 6220 which had been designated to the Committee on Health & Long-Term Care and was referred to the Committee on Labor & Commerce.

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

Senator Lovick moved adoption of the following resolution:

SENATE RESOLUTION
8649

By Senators Lovick, Lovelett, Keiser, Salomon, Boehnke, Hasegawa, Hunt, Kauffman, and Cleveland

WHEREAS, Today, the third Monday in January, we remember and honor the life and legacy of Dr. Martin Luther King, Jr., who became a beacon of hope for actualizing racial equality in our nation; and

WHEREAS, Today, January 15, 2024, marks what would have been Dr. King's 95th birthday; and

WHEREAS, Dr. King used his gift of oration to awaken America to the struggles of disenfranchised communities, particularly African Americans, through nonviolent means; and

WHEREAS, Dr. King encouraged others through his dedication to achieving equality. He once said, "Life's most persistent and urgent question is: What are you doing for others?"; and

WHEREAS, Dr. King believed that a person's worth should be measured not by his or her color, culture, or class but rather by his or her commitment to making life better for all through service rendered to each other; and

WHEREAS, We mourn the loss of former Black and African American senators who tirelessly served in the Legislature and paved the way for many to follow in their paths; and

WHEREAS, Dr. King's unwavering support for the principles of racial justice and social equality helped transform America; and

WHEREAS, Black communities have been disproportionately affected by the coronavirus pandemic and its continuing effects; and

WHEREAS, Dr. King's steadfast pursuit of fairness encouraged others, as exemplified in his famous "Letter from Birmingham Jail," in which he said, "Injustice anywhere is a threat to justice everywhere.";

NOW, THEREFORE, BE IT RESOLVED, That the Senate, in recognition of the courageous leadership and legacy of hope demonstrated by Dr. Martin Luther King, Jr., honor his memory by urging all citizens of our state to continue the legacy of Dr. King by condemning racism in all its forms and advancing a more perfect union where all people experience fair treatment under our laws.

Senators Lovick and Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8649.

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

MOTIONS

On motion of Senator Pedersen and without objection, the names of all members of the Senate were added to Senate Resolution No. 8649.

NINTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, January 16, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 8, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT M. BUGERT, appointed January 9, 2024, for the term ending December 31, 2026, as Member of the Recreation and Conservation Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9444.

January 8, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

JOSEPH TIMMONS, appointed January 8, 2024, for the term ending October 1, 2026, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9445.

MOTION

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

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
I-2117

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434- 379-010, the Office of the Secretary of State has caused the signatures

submitted in support of Initiative to the Legislature No. 2117 to be examined in the following manner:

1. It was determined that 466,072 signatures were submitted by the sponsors of the initiative. A random sample of 13,983 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,863 valid signatures, 3,105 signatures that were invalid and 15 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling (84) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (106,280) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (35,276) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (32) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (22) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2117 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 16th day of

January, 2024

[Seal]

/s/

STEVE HOBBS

Secretary of State

Bob Ferguson

ATTORNEY GENERAL OF WASHINGTON

Administration Division

PO Box 40100 Olympia, WA 98504-0100 (360) 753-6200

June 20, 2023

The Honorable Steve Hobbs
Elections Division

ATTN: Initiative and Referendum

POBox40220

Olympia, WA 98504-0220

Re: Initiative No. 2117

Dear Secretary Hobbs:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2117 to the Legislature (an act relating to prohibiting all state agencies, counties, and cities from implementing any type of carbon tax credit trading, also known as "cap and trade" or "cap and tax" scheme).

BALLOT TITLE

Statement of Subject: Initiative Measure No. 2117 concerns carbon tax credit trading.

Concise Description: This measure would prohibit state agencies from imposing any type of carbon tax credit trading, and repeal legislation establishing a cap and invest program to reduce greenhouse gas emissions.

Should this measure be enacted into law? Yes [] No []

BALLOT MEASURE SUMMARY

This measure would prohibit state agencies from imposing any type of carbon tax credit trading, including "cap and trade" or 'cap and tax' programs, regardless of whether the resulting increased costs are imposed on fuel recipients or fuel suppliers. It would repeal sections of the 2021 Washington Climate Commitment Act as amended, including repealing the creation and modification of a "cap and invest" program to reduce greenhouse gas emissions by specific entities.

Sincerely,

/s/

ALICIA O. YOUNG

Deputy Solicitor General

(360) 586-2697

Initiative Measure No. 2117

Filed May 30, 2023

AN ACT Relating to prohibiting all state agencies, counties, and cities from implementing any type of carbon tax credit trading, also known as "cap and trade" or "cap and tax" scheme; adding a new section to chapter 70A.65 RCW; creating a new section; and repealing RCW 43.21C.520, 70A.15.1100, 70A.45.110, 70A.65.005, 70A.65.010, 70A.65.020, 70A.65.030, 70A.65.040, 70A.65.050, 70A.65.060, 70A.65.070, 70A.65.080, 70A.65.090, 70A.65.100, 70A.65.110, 70A.65.120, 70A.65.130, 70A.65.140, 70A.65.150, 70A.65.160, 70A.65.170, 70A.65.180, 70A.65.200, 70A.65.210, 70A.65.220, 70A.65.230, 70A.65.240, 70A.65.250, 70A.65.260, 70A.65.270, 70A.65.280, 70A.65.290, 70A.65.300, 70A.65.305, 70A.65.310, 70A.65.900, and 70A.65.901.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION, Sec. 1. A new section is added to chapter 70A.65 RCW to read as follows:

All state agencies are prohibited from implementing any type of carbon tax credit trading, also known as "cap and trade" or "cap and tax" scheme, including the climate commitment act previously codified as chapter 70A.65 RCW. This prohibition applies whether the resulting increased costs are imposed on fuel recipients or fuel suppliers.

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

- (1) RCW 43.21C.520 (Review of greenhouse gas emissions from a new or expanded facility) and 2021 c 316 s 34;
- (2) RCW 70A.15.1100 (Issuance of enforceable order-Overburdened communities) and 2021 c 316 s 35;
- (3) RCW 70A.45.110 (Siting of certain facilities) and 2021 c 316 s 36;
- (4) RCW 70A.65.005 (Findings-Intent) and 2021 c 316 s 1;
- (5) RCW 70A.65.010 (Definitions) and 2022 c 181 s 10 & 2021 c 316 s 2;
- (6) RCW 70A.65.020 (Environmental justice review) and 2022 c 181 S 5 & 2021 C 316 S 3;
- (7) RCW 70A.65.030 (Environmental justice assessment) and 2023 c 475 S 1902, 2023 C 475 S 936, 2022 C 182 S 104, 2022 C 181 S 13, & 2021 C 316 S 4;
- (8) RCW 70A.65.040 (Environmental justice council-Duties) and 2022 C 182 S 105, 2022 C 181 S 14, & 2021 C 316 S 5;
- (9) RCW 70A.65.050 (Governance structure) and 2021 c 316 s 7;
- (10) RCW 70A.65.060 (Cap on greenhouse gas emissions) and 2021 c 316 s 8;
- (11) RCW 70A.65.070 (Annual allowance budget and timelines) and 2022 C 181 S 1 & 2021 C 316 S 9;
- (12) RCW 70A.65.080 (Program coverage) and 2022 c 179 s 14 & 2021 C 316 S 10;
- (13) RCW 70A.65.090 (Requirements) and 2021 c 316 s 11;
- (14) RCW 70A.65.100 (Auctions of allowances) and 2023 c 475 s 937, 2022 C 181 S 3, & 2021 C 316 S 12;
- (15) RCW 70A.65.110 (Allocation of allowances to emissions- intensive, trade-exposed industries) and 2021 c 316 s 13;
- (16) RCW 70A.65.120 (Allocation of allowances to electric utilities) and 2021 c 316 s 14;
- (17) RCW 70A.65.130 (Allocation of allowances to natural gas utilities) and 2021 c 316 s 15;
- (18) RCW 70A.65.140 (Emissions containment reserve withholding) and 2022 c 181 s 11 & 2021 c 316 s 16;
- (19) RCW 70A.65.150 (Allowance price containment) and 2022 c 181 S 6 & 2021 C 316 S 17;
- (20) RCW 70A.65.160 (Price ceiling) and 2022 c 181 s 7 & 2021 c 316 s 18;
- (21) RCW 70A.65.170 (Offsets) and 2022 c 181 s 12 & 2021 c 316 s 19;
- (22) RCW 70A.65.180 (Assistance program for offsets on tribal lands) and 2021 c 316 s 20;
- (23) RCW 70A.65.200 (Enforcement-Penalty) and 2022 c 181 s 4 & 2021 C 316 S 23;
- (24) RCW 70A.65.210 (Linkage with other jurisdictions) and 2021 C 316 S 24;
- (25) RCW 70A.65.220 (Adoption of rules) and 2021 c 316 s 25;
- (26) RCW 70A.65.230 (Investments-Legislative intent-Evaluation) and 2022 c 182 s 426, 2022 c 181 s 8, & 2021 c 316 s 26;
- (27) RCW 70A.65.240 (Carbon emissions reduction account) and 2022 C 182 S 101 & 2021 C 316 S 27;
- (28) RCW 70A.65.250 (Climate investment account) and 2023 c 475 S 938, 2023 C 435 S 12, 2022 C 253 S 2, & 2021 C 316 S 28;
- (29) RCW 70A.65.260 (Climate commitment account) and 2023 c 475 S 939, 2022 C 179 S 17, & 2021 C 316 S 29;
- (30) RCW 70A.65.270 (Natural climate solutions account) and 2021 C 316 S 30;
- (31) RCW 70A.65.280 (Air quality and health disparities

NINTH DAY, JANUARY 16, 2024

improvement account) and 2021 c 316 s 31;

(32) RCW 70A.65.290 (Joint legislative audit and review committee-Program implementation analysis. (*Expires June 30, 2030.*)) and 2021 c 316 s 32;

(33) RCW 70A.65.300 (Distributions of moneys-Annual report) and 2021 C 316 S 46;

(34) RCW 70A.65.305 (Tribal consultation) and 2022 c 253 s 1;

(35) RCW 70A.65.310 (Covered or opt-in entity compliance obligation) and 2022 c 181 s 2;

(36) RCW 70A.65.900 (Short title-2021 c 316) and 2021 c 316 s 37; and

(37) RCW 70A.65.901 (Suspension of certain sections and rules) and 2021 c 316 s 39.

NEW SECTION, Sec. 3. The provisions of this act are to be liberally construed to effectuate the policies, purposes, and intent of this act.

NEW SECTION, Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6242 by Senators Mullet and Lovick

AN ACT Relating to law enforcement training; reenacting and amending RCW 43.101.200; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6243 by Senator Mullet

AN ACT Relating to providing a state business and occupation tax exemption to encourage clean technology manufacturing in Washington; adding a new section to chapter 82.04 RCW; creating a new section; and providing an expiration date.

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

SB 6244 by Senator Rivers

AN ACT Relating to enacting the pain parity act; adding a new section to chapter 43.70 RCW; adding a new section to chapter 74.09 RCW; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6245 by Senator Hasegawa

AN ACT Relating to assistance for refugees and immigrants; and adding a new chapter to Title 74 RCW.

Referred to Committee on Human Services.

SB 6246 by Senator Dhingra

AN ACT Relating to the transmission of information relating to firearm prohibitions for persons committed for mental

health treatment; amending RCW 9.41.049 and 70.02.260; and reenacting and amending RCW 9.41.047, 10.77.086, and 10.77.088.

Referred to Committee on Law & Justice.

SB 6247 by Senators Hunt and Randall

AN ACT Relating to public employees' retirement system plan 2 service credit for officers of labor organizations; and amending RCW 41.40.710.

Referred to Committee on Ways & Means.

SB 6248 by Senator Robinson; by request of Department of Revenue

AN ACT Relating to modifying the capital gains tax under chapter 82.87 RCW and related statutes by closing loopholes, repealing and replacing the business and occupation tax credit with a capital gains tax credit, clarifying ambiguities and making technical corrections in a manner that is not estimated to affect state or local tax collections, treating spouses and domestic partners more consistently, modifying and adding definitions, creating a good faith penalty waiver, and modifying the publication schedule for inflation adjustments; amending RCW 82.04.4497, 82.87.020, 82.87.040, 82.87.050, 82.87.070, 82.87.080, 82.87.110, 82.87.120, 82.87.150, 82.32.060, 82.32.090, and 82.32.105; reenacting and amending RCW 82.32.050; adding a new section to chapter 82.87 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6249 by Senator Robinson

AN ACT Relating to providing housing safety, security, and protection by creating the homeowner relief property tax exemption; amending RCW 84.48.010; adding new sections to chapter 84.36 RCW; creating new sections; and providing a contingent effective date.

Referred to Committee on Ways & Means.

SB 6250 by Senator Robinson

AN ACT Relating to increasing the working families' tax credit to reflect the economic burden of property taxes incorporated into rental amounts charged to residential tenants; reenacting and amending RCW 82.08.0206; and creating new sections.

Referred to Committee on Ways & Means.

SB 6251 by Senator Dhingra

AN ACT Relating to coordination of regional behavioral health crisis response and suicide prevention services; reenacting and amending RCW 71.24.025 and 71.24.890; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Health & Long-Term Care.

SJR 8209 by Senator Robinson

Concerning a constitutional amendment providing for a residential real property exemption from property taxes levied for state purposes.

Referred to Committee on Ways & Means.

SCR 8415

by Senator Braun

Reconvening the redistricting commission to adopt revised legislative district maps for the Yakima Valley region.

Referred to Committee on State Government & Elections.

MOTIONS

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

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

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION
8654

By Senator Hasegawa

WHEREAS, After earning his wings in December 1943, United States Army Air Forces veteran Captain Richard "Dick" Alan Nelms served in the European Theater during World War II as a Boeing B-17 Flying Fortress copilot and pilot, assigned to the 447th Bomb Group, 8th Air Force, based in Rattlesden, England; and

WHEREAS, Dick Nelms flew 35 missions into Germany, France, and other Nazi-occupied territories, sustaining battle damage in 25 of those missions, and helped write and plan food and supply drops to the Marquis Freedom Fighters in France and others; and

WHEREAS, Dick Nelms has earned numerous valor awards for his service, including the Distinguished Flying Cross, five Air Medals, the Presidential Unit Citation, and the French Legion of Honor Medal; and

WHEREAS, Following the war, Dick Nelms established a successful freelance commercial art business, including a job with the King county library system in the 1970s, and served as an art director for the next 45 years in the Seattle area; and

WHEREAS, Dick Nelms was commissioned in 1967 to create a new Washington state seal insignia, selecting a Gilbert Stuart portrait of George Washington for the design, which was accepted and made the official state seal by the legislature; and

WHEREAS, Since starting as a Museum of Flight volunteer in March 2016, Dick Nelms has regularly engaged with thousands of museum visitors from around the world, sharing how he and his comrades dealt with fear and other realities of war and his pride for "putting a dent in Hitler's war machine;" and

WHEREAS, As a museum volunteer, Dick has gone out into the community and across the United States to share his knowledge and wartime experience with numerous organizations, including schools, museums, community centers, Joint Base Lewis-McChord, and at the Air Force Ball celebrating the 70th anniversary of the United States Air Force; and

WHEREAS, On February 17, 2023, Dick Nelms celebrated his 100th birthday at the Museum of Flight;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate recognize and honor Mr. Dick Nelms for his significant contributions to our state and country.

Senator Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8654.

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

MOTION

At 12:38 p.m., on motion of Senator Pedersen, the Senate adjourned until 1:30 p.m. Wednesday, January 17, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Wednesday, January 17, 2024

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senator Randall.

The Sergeant at Arms Color Guard consisting of Pages Mr. Gabe Guevara and Miss Medha Singitham, presented the Colors.

Page Miss Lola Poort led the Senate in the Pledge of Allegiance.

Reverend Corey Passons, Minister, Community for Interfaith Celebration of Olympia and Program Manager, Interfaith Relations for Interfaith Works, offered the prayer.

MOTIONS

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

The Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 16, 2024

SB 5777 Prime Sponsor, Senator Keiser: Concerning unemployment insurance benefits for striking or lockout workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and MacEwen.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5803 Prime Sponsor, Senator Conway: Concerning the recruitment and retention of Washington national guard members. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5815 Prime Sponsor, Senator Muzzall: Concerning the physician assistant compact. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5815 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5842 Prime Sponsor, Senator Kuderer: Restricting the use of social security numbers by insurance companies for the purpose of determining child support debt. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5853 Prime Sponsor, Senator Dhingra: Extending the crisis relief center model to provide behavioral health crisis services for minors. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5853 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5871 Prime Sponsor, Senator Lovick: Concerning the definition of veteran and restoring honor to veterans. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5871 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5880 Prime Sponsor, Senator Muzzall: Establishing a primary certification process for magnetic resonance imaging technologists. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5880 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5906 Prime Sponsor, Senator Wilson, L.: Implementing a statewide drug overdose prevention and education campaign. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5936 Prime Sponsor, Senator Conway: Convening a palliative care benefit work group. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5936 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5982 Prime Sponsor, Senator Cleveland: Updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Holy and Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Ranking Member Muzzall, Assistant Ranking Member.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5986 Prime Sponsor, Senator Cleveland: Protecting consumers from out-of-network health care services charges. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 16, 2024

SB 6027 Prime Sponsor, Senator Stanford: Concerning the insurance holding company act. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 16, 2024
SB 6198 Prime Sponsor, Senator Holy: Concerning employees of the law enforcement officers' and firefighters' plan 2 retirement board. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

MOTION

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5853 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

STANDING COMMITTEE ASSIGNMENTS

The President announced the following appointments to the standing committees, listed on the document entitled "2024 Senate Standing Committee Membership".

2024 SENATE STANDING COMMITTEE MEMBERSHIP

Agriculture, Water, Natural Resources & Parks

<i>Van De Wege, Chair</i>	<i>Muzzall, Ranking</i>
<i>Salomon, Vice Chair</i>	<i>Short</i>
<i>Shewmake</i>	<i>Wagoner</i>
<i>Stanford</i>	<i>Warnick</i>
<i>Liias</i>	

Business, Financial Services, Gaming & Trade

<i>Stanford, Chair</i>	<i>Dozier, Ranking</i>
<i>Frame, Vice Chair</i>	<i>Boehnke</i>
<i>Hasegawa</i>	<i>Gildon</i>
<i>Mullet</i>	<i>MacEwen</i>
<i>Lovick</i>	

Early Learning & K-12 Education

<i>Wellman, Chair</i>	<i>Hawkins, Ranking</i>
<i>Nobles, Vice Chair</i>	<i>Dozier</i>
<i>C. Wilson, Vice Chair</i>	<i>McCune</i>
<i>Hunt</i>	
<i>Mullet</i>	
<i>Pedersen</i>	

Environment, Energy & Technology

<i>Nguyen, Chair</i>	<i>MacEwen, Ranking</i>
<i>Lovelett, Vice Chair</i>	<i>Short</i>
<i>Lovick</i>	<i>Boehnke</i>
<i>Trudeau</i>	
<i>Wellman</i>	

Health & Long-Term Care

<i>Cleveland, Chair</i>	<i>Rivers, Ranking</i>
<i>Robinson, Vice Chair</i>	<i>Muzzall, Asst. Ranking</i>
<i>Conway</i>	<i>Holy</i>
<i>Dhingra</i>	<i>Padden</i>
<i>Randall</i>	
<i>Van De Wege</i>	

TENTH DAY, JANUARY 17, 2024

Higher Education & Workforce Development

Nobles, Chair *Holy, Ranking*
Hansen, Vice Chair *Hawkins*
 Randall

Housing

Kuderer, Chair *Fortunato, Ranking*
Frame, Vice Chair *Braun*
 Cleveland *Gildon*
 Saldaña *Rivers*
 Shewmake *J. Wilson*
 Trudeau

Human Services

C. Wilson, Chair *Boehnke, Ranking*
Kauffman, Vice Chair *Warnick*
 Frame *J. Wilson*
 Nguyen

Labor & Commerce

Keiser, Chair *King, Ranking*
Conway, Vice Chair *Braun*
Saldaña, Vice Chair *MacEwen*
 Hansen *Schoesler*
 Stanford

Law & Justice

Dhingra, Chair *Padden, Ranking*
Trudeau, Vice Chair *McCune*
 Kuderer *Torres*
 Pedersen *Wagoner*
 Salomon *L. Wilson*
 Valdez

Local Government, Land Use & Tribal Affairs

Lovelett, Chair *Torres, Ranking*
Salomon, Vice Chair *Short*
 Kauffman

State Government & Elections

Hunt, Chair *J. Wilson, Ranking*
Valdez, Vice Chair *Dozier*
 Hasegawa *Fortunato*
 Kuderer

Transportation

Litas, Chair *King, Ranking*
Lovick, Vice Chair *Holy, Asst. Ranking*
Shewmake, Vice Chair *Fortunato*
 Cleveland *Hawkins*
 Hansen *MacEwen*
 Kauffman *Padden*
 Lovelett *J. Wilson*
 Nobles
 C. Wilson
 Valdez

Ways & Means

Robinson, Chair *L. Wilson, Ranking Operating*
Nguyen, Vice Chair *Gildon, Asst. Ranking*
Operating *Operating*
Mullet, Vice Chair Capital *Schoesler, Ranking Capital*
 Billig *Rivers, Asst. Ranking Capital*
 Conway *Warnick, Asst. Ranking*
 Capital

Dhingra *Boehnke*
Hasegawa *Braun*
Hunt *Muzzall*
Keiser *Torres*
Pedersen *Wagoner*
 Randall
 Saldaña
 Van De Wege
 Wellman

Rules

Lt. Governor Heck, Chair *Braun, Ranking*
Keiser, Vice Chair *Gildon*
 Billig *King*
 Cleveland *Muzzall*
 Hasegawa *Rivers*
 Kuderer *Short*
 Lovick
 Pedersen
 Salomon
 Saldaña
 C. Wilson

MOTIONS

On motion of Senator Pedersen, the appointments to the standing committees were confirmed by voice vote.

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

INTRODUCTION AND FIRST READING

SI 2117 by People of the State of Washington
 Authorizing authorities to address aerial firefighting aspects as part of permitting processes for communities at risk of wildfires.

Referred to Committee on Environment, Energy & Technology.

SB 6252 by Senator Stanford
 AN ACT Relating to enhancing consumer protections for automobile insurance coverage; and adding new sections to chapter 48.18 RCW.

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

SB 6253 by Senators Nobles and Mullet
 AN ACT Relating to increasing funding for the learning assistance program; amending RCW 28A.150.260; and providing an effective date.

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

SB 6254 by Senators Nobles and Hansen
 AN ACT Relating to student navigational supports to increase postsecondary enrollment; amending RCW 28B.50.940; adding a new section to chapter 28B.77 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 6255 by Senators Cleveland and Dhingra

AN ACT Relating to assisted living facilities that are owned or operated by affordable housing providers; amending RCW 18.20.020 and 74.39A.032; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6256 by Senator Stanford; by request of Department of Commerce

AN ACT Relating to solar consumer protections; adding a new section to chapter 80.60 RCW; and adding a new chapter to Title 19 RCW.

Referred to Committee on Labor & Commerce.

SB 6257 by Senators Cleveland and Rivers

AN ACT Relating to creating Washington state residency requirements for purposes of hospital charity care; adding a new section to chapter 70.170 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 6258 by Senators Cleveland and Robinson

AN ACT Relating to phasing in the requirement that only standardized health plans may be offered on the health benefit exchange; amending RCW 43.71.095; and adding a new section to chapter 43.71 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6259 by Senator Warnick

AN ACT Relating to special sales at public livestock markets; and amending RCW 16.65.420.

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

SB 6260 by Senator Warnick

AN ACT Relating to limiting the application of certain civil penalties to protect landowners from incurring penalties based on the actions of the landowner's lessee; and amending RCW 90.03.600.

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

SB 6261 by Senator Warnick

AN ACT Relating to the penalties for theft and possession of stolen property, including theft from first responders; amending RCW 9A.56.150, 9A.56.030, and 9.94A.540; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6262 by Senator Wilson, J.

AN ACT Relating to creating the Julia Butler Hansen state park heritage center; and adding a new chapter to Title 79A RCW.

Referred to Committee on State Government & Elections.

SB 6263 by Senator Wilson, L.

AN ACT Relating to death benefits provided by the 1955 act for firefighters' relief and pensions; and amending RCW 41.18.140.

Referred to Committee on Ways & Means.

SB 6264 by Senator Wellman

AN ACT Relating to supporting the implementation of competency-based education; amending RCW 28A.230.125; adding a new chapter to Title 28A RCW; and repealing RCW 28A.300.810.

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

SB 6265 by Senators Conway and Keiser

AN ACT Relating to protecting a consumer's right to coupon and sale prices offered by grocery stores; amending RCW 19.315.010; and adding a new section to chapter 19.315 RCW.

Referred to Committee on Labor & Commerce.

SB 6266 by Senators Pedersen, Dhingra, Trudeau, Valdez, Salomon, Nobles, Saldaña, Wilson, C., Lias, Hunt, Nguyen, Wellman, Keiser, Hasegawa, Cleveland, Kauffman, Frame, Lovick, Stanford and Kuderer

AN ACT Relating to protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers; amending RCW 9.41.110; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6267 by Senators Randall and Braun

AN ACT Relating to authorizing payment for parental caregivers of minor children with developmental disabilities; adding a new section to chapter 71A.12 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 6268 by Senator Wagoner

AN ACT Relating to establishing a minimum font size for state agency communications to the public; and adding a new section to chapter 42.30 RCW.

Referred to Committee on State Government & Elections.

SB 6269 by Senators Valdez and Hunt

AN ACT Relating to establishing an alternative voter verification options pilot project; reenacting and amending RCW 29A.40.110; adding a new section to chapter 29A.40 RCW; and providing an expiration date.

Referred to Committee on State Government & Elections.

SB 6270 by Senator MacEwen

AN ACT Relating to supporting computer science programs in Washington grade schools; and adding a new section to chapter 28A.300 RCW.

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

TENTH DAY, JANUARY 17, 2024

MOTIONS

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

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

Senator Schoesler moved adoption of the following resolution:

SENATE RESOLUTION
8652

By Senators Schoesler, Hunt, Padden, Boehnke, Dozier, Wellman, Short, Lovick, Torres, Billig, and Warnick

WHEREAS, After serving as mayor of Pullman for 20 years, Glenn Johnson has retired from City Hall; and

WHEREAS, Glenn Johnson moved to Pullman in 1979 from Sacramento, California, to teach at Washington State University's Edward R. Murrow College of Communications, and became very involved with various organizations, which included volunteering at Pullman Regional Hospital; and

WHEREAS, As mayor, he helped with the initiation of Project Downtown, a city-led revitalization project to upgrade Main Street's utilities, roads, sidewalks, and public spaces; and

WHEREAS, Glenn Johnson is not just known for being Pullman mayor and a distinguished professor at Washington State University for 35 years, but for being the "Voice of the Cougs" as the public-address announcer at Washington State University sporting events for more than 40 years; and

WHEREAS, His catchphrase at Washington State University home football games – "and that's another Cougar first down!" – became so popular that Cougars fans routinely said it in unison; and

WHEREAS, Glenn also is a trustee of the Community Colleges of Spokane; and

WHEREAS, Glenn Johnson is a recipient of the Honorary Alumnus award, which is considered the highest honor from the Washington State University Alumni Association for nonalumni friends who have given special service to the university, and appropriately was presented with that honor while announcing at a Cougar basketball game; and

WHEREAS, The Washington State University Foundation presented him with its Outstanding Service Award in 2013, while the Pullman Chamber of Commerce has honored him with the Marshall A. Neill Community Service Award in 2001 and as Member of the Year in 1997; and

WHEREAS, Glenn Johnson in 2008 received the 2008 Edward L. Bliss Award for Distinguished Broadcast Journalism Education, which honors an electronic journalism educator who has made a significant and lasting contribution to the field in the areas of teaching, service, and scholarship; and

WHEREAS, Glenn Johnson has been a selfless leader who always dedicated his success to the people around him;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and congratulate Glenn Johnson not only for serving two decades as Pullman mayor but also for his ongoing service as the Voice of the Cougars. Go Cougs!

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Glenn Johnson.

Senators Schoesler and Hunt spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8652.

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

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Robinson moved that Laura S. Wildfong, Senate Gubernatorial Appointment No. 9164, be confirmed as a member of the Lake Washington Institute of Technology Board of Trustees.

Senator Robinson spoke in favor of the motion.

APPOINTMENT OF LAURA S. WILDFONG

The President declared the question before the Senate to be the confirmation of Laura S. Wildfong, Senate Gubernatorial Appointment No. 9164, as a member of the Lake Washington Institute of Technology Board of Trustees.

The Secretary called the roll on the confirmation of Laura S. Wildfong, Senate Gubernatorial Appointment No. 9164, as a member of the Lake Washington Institute of Technology Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Randall

Laura S. Wildfong, Senate Gubernatorial Appointment No. 9164, having received the constitutional majority was declared confirmed as a member of the Lake Washington Institute of Technology Board of Trustees.

MOTION

On motion of Senator Nobles, Senator Randall was excused.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Schoesler moved that Glenn A. Johnson, Senate Gubernatorial Appointment No. 9255, be confirmed as a member of the Community Colleges of Spokane Board of Trustees.

Senator Schoesler spoke in favor of the motion.

APPOINTMENT OF GLENN A. JOHNSON

The President declared the question before the Senate to be the confirmation of Glenn A. Johnson, Senate Gubernatorial Appointment No. 9255, as a member of the Community Colleges of Spokane Board of Trustees.

The Secretary called the roll on the confirmation of Glenn A. Johnson, Senate Gubernatorial Appointment No. 9255, as a member of the Community Colleges of Spokane Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Randall

Glenn A. Johnson, Senate Gubernatorial Appointment No. 9255, having received the constitutional majority was declared confirmed as a member of the Community Colleges of Spokane Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Jacelyn M. Boschok, Senate Gubernatorial Appointment No. 9169, be confirmed as a member of the Green River College Board of Trustees.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF JACELYN M. BOSCHOK

The President declared the question before the Senate to be the confirmation of Jacelyn M. Boschok, Senate Gubernatorial Appointment No. 9169, as a member of the Green River College Board of Trustees.

The Secretary called the roll on the confirmation of Jacelyn M. Boschok, Senate Gubernatorial Appointment No. 9169, as a member of the Green River College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Randall

Jacelyn M. Boschok, Senate Gubernatorial Appointment No. 9169, having received the constitutional majority was declared confirmed as a member of the Green River College Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that J. Manny Santiago, Senate Gubernatorial Appointment No. 9312, be confirmed as a member of the Tacoma Community College Board of Trustees.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF J. MANNY SANTIAGO

The President declared the question before the Senate to be the confirmation of J. Manny Santiago, Senate Gubernatorial Appointment No. 9312, as a member of the Tacoma Community College Board of Trustees.

The Secretary called the roll on the confirmation of J. Manny Santiago, Senate Gubernatorial Appointment No. 9312, as a member of the Tacoma Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Randall

J. Manny Santiago, Senate Gubernatorial Appointment No. 9312, having received the constitutional majority was declared confirmed as a member of the Tacoma Community College Board of Trustees.

MOTION

At 2:02 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 2:31 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTIONS

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

Senator Braun moved that the Senate advance to the ninth order of business for the purposes of relieving the Committee on State Government & Elections of Senate Concurrent Resolution No. 8415, Reconvening the redistricting commission to adopt revised legislative district maps for the Yakima Valley region.

Senator Braun demanded a roll call.

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

The President declared the question before the Senate to be the motion by Senator Braun that the Senate advance to the ninth order of business.

TENTH DAY, JANUARY 17, 2024

ROLL CALL

The Secretary called the roll on the motion to advance to the ninth order and the motion did not carry by the following vote: Yeas, 20; Nays, 28; Absent, 0; Excused, 1.

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

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

Excused: Senator Randall

SECOND READING

SENATE BILL NO. 5376, by Senators Stanford, Rivers, Keiser, Saldaña, and Wilson, C.

Allowing the sale of cannabis waste.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5376 was substituted for Senate Bill No. 5376 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 5376 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5376.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5376 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Randall

SUBSTITUTE SENATE BILL NO. 5376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5640, by Senators Hunt, Kuderer, and Wilson, C.

Establishing an independent living residents' rights work group.

MOTIONS

On motion of Senator Hunt, Substitute Senate Bill No. 5640 was substituted for Senate Bill No. 5640 and the substitute bill was placed on the second reading and read the second time.

Senator Hunt moved that the following striking amendment no. 471 by Senator Hunt be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Subject to the availability of amounts appropriated for this specific purpose, the independent living residents' rights work group is established. The purpose of the work group is to recommend to the governor and the appropriate committees of the legislature a bill of rights for nonresidents residing in an assisted living facility that allows the nonresidents to have a process to resolve disputes regarding contracted services with the owners and management of the assisted living facility in which they reside. To establish these recommendations, the work group shall:

(a) Hold multiple stakeholder meetings with nonresidents residing in an assisted living facility to identify the barriers and issues impacting the nonresidents;

(b) Consider the impacts and evaluate the options for nonresidents residing in an assisted living facility;

(c) Conduct an analysis of the barriers and issues regarding contracted services that may not be resolved through the current appeals process for residential landlord-tenant policies as referenced in chapter 59.18 RCW; and

(d) Develop recommendations for a process for nonresidents residing in an assisted living facility to resolve problems, including recommendations protecting nonresidents from retaliation from owners and management of assisted living facilities.

(2) The work group shall be composed of the following members:

(a) One representative from the department of social and health services, appointed by the secretary of the department of social and health services;

(b) One representative from the Washington state attorney general's office, appointed by the attorney general or the attorney general's designee;

(c) One representative from the office of the state long-term care ombuds, appointed by the state long-term care ombuds;

(d) One representative each from two different associations representing assisted living facilities, appointed by the secretary of the department of social and health services from a list provided by the associations;

(e) One representative from a community-based organization or nonprofit organization that advocates for seniors and other individuals who wish to age in place, appointed by the secretary of the department of social and health services from a list provided by the organizations;

(f) An attorney with expertise in landlord-tenant law;

(g) The cochair of the dementia action collaborative other than the secretary of the department of social and health services or his or her designee; and

(h) Three representatives who are current nonresidents residing in an assisted living facility, appointed by the secretary of the department of social and health services based on the recommendations of the dementia action collaborative, the office of the state long-term care ombuds, and the independent resident commission of Bonaventure of Lacey.

(3) The work group shall submit its findings and recommendations to the governor and the appropriate committees of the legislature by January 1, 2025.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5640, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SUBSTITUTE SENATE BILL NO. 5589, by Senate Committee on Law & Justice (originally sponsored by Stanford)

Concerning probate.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Stanford, the rules were suspended and Substitute Senate Bill No. 5589 was returned to second reading for the purposes of amendment.

Senator Stanford moved that the following amendment no. 476 by Senator Stanford be adopted:

On page 6, line 12, after "For" strike "2023" and insert "2024"

On page 11, line 29, after "August 1," strike "2023" and insert "2024"

The President declared the question before the Senate to be the adoption of amendment no. 476 by Senator Stanford on page 6, line 12 to Substitute Senate Bill No. 5589.

The motion by Senator Stanford carried and amendment no. 476 was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 5589 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5589.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5589 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Randall

(4) The work group shall hold its inaugural meeting no later than August 1, 2024. The work group shall elect a chair from among its current or previous nonresident members as listed in subsection (2)(h) of this section at the inaugural meeting. The election of the chair must be by a majority vote of the work group members who are present at the inaugural meeting. The chair of the work group is responsible for arranging subsequent meetings and developing meeting agendas.

(5) Staff support for the work group, including arranging the inaugural meeting of the work group and assisting the chair of the work group in arranging subsequent meetings, must be provided by the department of social and health services.

(6) Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) The work group is a class one group under chapter 43.03 RCW.

(8) A public comment period must be provided at every meeting of the work group.

(9) This section expires January 1, 2026.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

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

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

The President declared the question before the Senate to be the adoption of striking amendment no. 471 by Senator Hunt to Substitute Senate Bill No. 5640.

The motion by Senator Hunt carried and striking amendment no. 471 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Substitute Senate Bill No. 5640 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5640.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5640 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Randall

TENTH DAY, JANUARY 17, 2024

ENGROSSED SUBSTITUTE SENATE BILL NO. 5589, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SENATE BILL NO. 5462, by Senators Lias, Wilson, C., Kuderer, Lovelett, Nguyen, Pedersen, Randall, Saldaña, and Valdez

Promoting inclusive learning standards and instructional materials in public schools.

The bill was read on Third Reading.

Senators Lias, Wilson, C. and Pedersen spoke in favor of passage of the bill.

Senators Hawkins and McCune spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5462.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5462 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

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

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

Excused: Senator Randall

ENGROSSED SENATE BILL NO. 5462, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

“When Engrossed Senate Bill No. 5462 came up for a vote on the Senate floor this afternoon, I was called to the wings to consult on another matter and inadvertently voted ‘yes’ when I intended to vote ‘no’. I would like the record to reflect my intent to cast a no vote.”

SENATOR John Braun, 20th LEGISLATIVE DISTRICT

MOTION

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

SECOND READING

SENATE BILL NO. 5056, by Senators Padden, Fortunato, Gildon, and Wilson, L.

Establishing a special allegation for habitual property offenders.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5056 was substituted for Senate Bill No. 5056 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5056 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5056.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5056 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

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

Voting nay: Senators Hasegawa, Kauffman, Nguyen, Nobles, Saldaña, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Randall

SUBSTITUTE SENATE BILL NO. 5056, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5299, by Senators Braun, Rolfes, Conway, Holy, Mullet, Torres, Wagoner, Warnick, Wilson, C., and Wilson, L.

Concerning law enforcement officer protection.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5299 was substituted for Senate Bill No. 5299 and the substitute bill was placed on the second reading and read the second time.

Senator Braun moved that the following amendment no. 477 by Senator Braun be adopted:

On page 5, line 21, after "filed" insert "against the civilian"

On page 5, line 22, strike "and"

On page 5, line 23, after "filed" insert "against the civilian; and (e) The age, gender, race, and ethnicity of the individual who assaulted the officer"

Senator Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 477 by Senator Braun on page 5, line 21 to Substitute Senate Bill No. 5299.

The motion by Senator Braun carried and amendment no. 477 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 5299 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5299.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5299 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Hasegawa
Excused: Senator Randall

ENGROSSED SUBSTITUTE SENATE BILL NO. 5299, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5150, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Shewmake)

Concerning the beef commission.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Shewmake, the rules were suspended and Engrossed Substitute Senate Bill No. 5150 was returned to second reading for the purposes of amendment.

Senator Shewmake moved that the following striking amendment no. 472 by Senator Shewmake be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 16.67.120 and 2002 c 313 s 83 are each amended to read as follows:

(1) There is hereby levied an assessment of ~~((one dollar))~~ up to \$2.50 per head to be implemented as prescribed in subsection (2) of this section on all Washington cattle sold in this state or elsewhere to be paid by the seller at the time of sale: PROVIDED, That if such sale is accompanied by a brand inspection by the department such an assessment may be collected at the same time,

place and in the same manner as brand inspection fees. Such fees may be collected by the livestock ~~((services division))~~ identification program of the department and transmitted to the commission: PROVIDED FURTHER, That, if such sale is made without a brand inspection by the department the assessment shall be paid by the seller and transmitted directly to the commission by the ~~((fifteenth))~~ 15th day of the month following the month the transaction occurred.

(2)(a) Beginning July 1, 2024, the assessment must be \$1.50 per head. \$0.50 of the \$1.50 assessment levied under this subsection may not be collected at the first point of sale of any calf identified with a green tag as identified in RCW 16.57.160.

(b) Beginning January 1, 2025, the assessment must be \$2.00 per head. \$1.00 of the \$2.00 assessment levied under this subsection may not be collected at the first point of sale of any calf identified with a green tag as identified in RCW 16.57.160.

(c) Beginning January 1, 2026, the assessment must be \$2.50 per head. \$1.50 of the \$2.50 assessment levied under this subsection may not be collected at the first point of sale of any calf identified with a green tag as identified in RCW 16.57.160.

(3) The procedures for collecting all state and federal assessments under this chapter shall be as required by the federal order and as described by rules adopted by the commission.

(4) The commission shall submit a report by January 1st of each year, in compliance with RCW 43.01.036, to the appropriate committees of the legislature having oversight over agriculture. The report must provide an accounting of the funds collected under this section for the previous year, including a record of the amount collected, the amount spent, and the purposes for which the funds were used.

(5) The commission shall hold meetings in different geographic regions of the state throughout the year, with at least two meetings held east of the crest of the Cascade mountains. Geographic regions must include the northeast, southeast, central southwest, and northwest regions of the state.

NEW SECTION. Sec. 2. A new section is added to chapter 16.67 RCW to read as follows:

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

NEW SECTION. Sec. 3. A new section is added to chapter 16.67 RCW to read as follows:

(1) Of the assessments levied in RCW 16.67.120, a producer or owner of cattle from whom an assessment is collected has the right to request a refund of not more than \$.50 per head beginning July 1, 2024, not more than \$1.00 per head beginning January 1, 2025, and not more than \$1.50 per head beginning January 1, 2026. Refund requests must be mailed to the commission within 90 calendar days of the assessment.

(2) The commission must process the requested refunds on a calendar quarterly basis. Any refund request that is received by the commission less than 15 days from the end of the calendar quarter must be paid at the end of the next quarter."

On page 1, line 1 of the title, after "commission;" strike the remainder of the title and insert "amending RCW 16.67.120; and adding new sections to chapter 16.67 RCW."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 472 by Senator Shewmake to Engrossed Substitute Senate Bill No. 5150.

The motion by Senator Shewmake carried and striking amendment no. 472 was adopted by voice vote.

MOTION

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

Senator Shewmake spoke in favor of passage of the bill.
Senator Muzzall spoke on passage of the bill.
Senator Schoesler spoke against passage of the bill.

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

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5150 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Fortunato, Frame, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Robinson, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Gildon, Hawkins, King, MacEwen, McCune, Padden, Rivers, Salomon, Schoesler, Short, Torres and Wilson, L.

Excused: Senator Randall

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

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580, by Senate Committee on Ways & Means (originally sponsored by Muzzall, Cleveland, Braun, Rivers, Warnick, Hasegawa, Kuderer, Lovelett, Randall, Shewmake, and Wilson, J.)

Improving maternal health outcomes.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Muzzall, the rules were suspended and Engrossed Second Substitute Senate Bill No. 5580 was returned to second reading for the purposes of amendment.

Senator Muzzall moved that the following striking amendment no. 473 by Senator Muzzall be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 74.09 RCW to read as follows:

(1) By no later than January 1, 2025, the authority shall create a postdelivery and transitional care program that allows for extended postdelivery hospital care for people with a substance use disorder at the time of delivery. The authority shall:

(a) Allow for up to five additional days of hospitalization stay for the birth parent;

(b) Provide the birth parent access to integrated care and medical services including, but not limited to, access to clinical health, medication management, behavioral health, addiction medicine, specialty consultations, and psychiatric providers;

(c) Provide the birth parent access to social work support which includes coordination with the department of children, youth, and families to develop a plan for safe care;

(d) Allow dedicated time for health professionals to assist in facilitating early bonding between the birth parent and infant by helping the birth parent recognize and respond to their infant's cues; and

(e) Establish provider requirements and pay only those qualified providers for the services provided through the program.

(2) In administering the program, the authority shall seek any available federal financial participation under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available.

NEW SECTION. Sec. 2. A new section is added to chapter 74.09 RCW to read as follows:

(1) Subject to the amounts appropriated for this specific purpose, the authority shall update the maternity support services program to address perinatal outcomes and increase equity and healthier birth outcomes. By January 1, 2025, the authority shall:

(a) Update current screening tools to be culturally relevant, include current risk factors, ensure the tools address health equity, and include questions identifying various social determinants of health that impact a healthy birth outcome and improve health equity;

(b) Ensure care coordination, including sharing screening tools with the patient's health care providers as necessary;

(c) Develop a mechanism to collect the results of the maternity support services screenings and evaluate the outcomes of the program. At minimum, the program evaluation shall:

(i) Identify gaps, strengths, and weaknesses of the program; and

(ii) Make recommendations for how the program may improve to better align with the authority's maternal and infant health initiatives; and

(d) Increase the allowable benefit and reimbursement rates with the goal of increasing utilization of services to all eligible maternity support services clients who choose to receive the services.

(2) The authority shall adopt rules to implement this section.

NEW SECTION. Sec. 3. A new section is added to chapter 74.09 RCW to read as follows:

By November 1, 2024, the income standards for a pregnant person eligible for Washington apple health pregnancy coverage shall have countable income equal to or below 210 percent of the federal poverty level.

Sec. 4. RCW 74.09.830 and 2021 c 90 s 2 are each amended to read as follows:

(1) The authority shall extend health care coverage from 60 days postpartum to one year postpartum for pregnant or postpartum persons who, on or after the expiration date of the federal public health emergency declaration related to COVID-19, are receiving postpartum coverage provided under this chapter.

(2) By June 1, 2022, the authority must:

(a) Provide health care coverage to postpartum persons who reside in Washington state, have countable income equal to or

below 193 percent of the federal poverty level, and are not otherwise eligible under Title XIX or Title XXI of the federal social security act; and

(b) Ensure all persons approved for pregnancy or postpartum coverage at any time are continuously eligible for postpartum coverage for 12 months after the pregnancy ends regardless of whether they experience a change in income during the period of eligibility.

(3) By November 1, 2024, the income standards for a postpartum person eligible for Washington apple health pregnancy or postpartum coverage shall have countable income equal to or below 210 percent of the federal poverty level.

(4) Health care coverage under this section must be provided during the 12-month period beginning on the last day of the pregnancy.

~~((4))~~ (5) The authority shall not provide health care coverage under this section to individuals who are eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act. Health care coverage for these individuals shall be provided by a program that is funded by Title XIX or Title XXI of the federal social security act. Further, the authority shall make every effort to expedite and complete eligibility determinations for individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving the maximum federal match. This includes, but is not limited to, working with the managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning January 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are awaiting for the authority to complete eligibility determination, the number of individuals who were presumptively eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((5))~~ (6) To ensure continuity of care and maximize the efficiency of the program, the amount and scope of health care services provided to individuals under this section must be the same as that provided to pregnant and postpartum persons under medical assistance, as defined in RCW 74.09.520.

~~((6))~~ (7) In administering this program, the authority must seek any available federal financial participation under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available. This includes, but is not limited to, ensuring the state is receiving the maximum federal match for individuals who are presumptively eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act by expediting completion of the individual's eligibility determination.

~~((7))~~ (8) Working with stakeholder and community organizations and the Washington health benefit exchange, the authority must establish a comprehensive community education and outreach campaign to facilitate applications for and enrollment in the program or into a more appropriate program where the state receives maximum federal match. Subject to the availability of amounts appropriated for this specific purpose, the education and outreach campaign must provide culturally and linguistically accessible information to facilitate participation in

the program, including but not limited to enrollment procedures, program services, and benefit utilization.

~~((8))~~ (9) Beginning January 1, 2022, the managed care organizations contracted with the authority to provide postpartum coverage must annually report to the legislature on their work to improve maternal health for enrollees, including but not limited to postpartum services offered to enrollees, the percentage of enrollees utilizing each postpartum service offered, outreach activities to engage enrollees in available postpartum services, and efforts to collect eligibility information for the authority to ensure the enrollee is in the most appropriate program for the state to receive the maximum federal match."

On page 1, line 1 of the title, after "outcomes;" strike the remainder of the title and insert "amending RCW 74.09.830; and adding new sections to chapter 74.09 RCW."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 473 by Senator Muzzall to Engrossed Second Substitute Senate Bill No. 5580.

The motion by Senator Muzzall carried and striking amendment no. 473 was adopted by voice vote.

MOTION

On motion of Senator Muzzall, the rules were suspended, Second Engrossed Second Substitute Senate Bill No. 5580 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Engrossed Second Substitute Senate Bill No. 5580.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Second Substitute Senate Bill No. 5580 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Randall

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5424, by Senate Committee on Labor & Commerce (originally sponsored by Lovick, Holy, Dhingra, Frame, Keiser, Kuderer, Shewmake, Stanford, Valdez, Warnick, and Wellman)

TENTH DAY, JANUARY 17, 2024

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

The bill was read on Third Reading.

MOTIONS

On motion of Senator Lovick, the rules were suspended and Substitute Senate Bill No. 5424 was returned to second reading for the purposes of amendment.

Senator Lovick moved that the following amendment no. 475 by Senator Lovick be adopted:

On page 11, line 11, after "July 1," strike "2023" and insert "2024"

On page 15, after line 10, insert the following:

"Sec. 4. RCW 41.26.030 and 2023 c 77 s 1 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Accumulated contributions" means the employee's contributions made by a member, including any amount paid under RCW 41.50.165(2), plus accrued interest credited thereon.

(2) "Actuarial reserve" means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay the member's future benefits during the period of retirement.

(3) "Actuarial valuation" means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(4)(a) "Basic salary" for plan 1 members, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) "Basic salary" for plan 2 members, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b), 414(h), and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay. In any year in which a member serves in the legislature the member shall have the option of having such member's basic salary be the greater of:

(i) The basic salary the member would have received had such member not served in the legislature; or

(ii) Such member's actual basic salary received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because basic salary under (b)(i) of this subsection is greater than basic salary under (b)(ii) of this subsection shall be paid by the member for both member and employer contributions.

(5)(a) "Beneficiary" for plan 1 members, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) "Beneficiary" for plan 2 members, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(6)(a) "Child" or "children" means an unmarried person who is under the age of eighteen or mentally or physically disabled as determined by the department, except a person who is disabled and in the full time care of a state institution, who is:

(i) A natural born child;

(ii) A stepchild where that relationship was in existence prior to the date benefits are payable under this chapter;

(iii) A posthumous child;

(iv) A child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter; or

(v) An illegitimate child legitimized prior to the date any benefits are payable under this chapter.

(b) A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(7) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(8) "Director" means the director of the department.

(9) "Disability board" for plan 1 members means either the county disability board or the city disability board established in RCW 41.26.110.

(10) "Disability leave" means the period of six months or any portion thereof during which a member is on leave at an allowance equal to the member's full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to plan 1 members.

(11) "Disability retirement" for plan 1 members, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(12) "Domestic partners" means two adults who have registered as domestic partners under RCW 26.60.020.

(13) "Employee" means any law enforcement officer or firefighter as defined in subsections (17) and (19) of this section.

(14)(a) "Employer" for plan 1 members, means the legislative authority of any city, town, county, district, or regional fire protection service authority or the elected officials of any municipal corporation that employs any law enforcement officer and/or firefighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the firefighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or firefighters as defined in this chapter.

(b) "Employer" for plan 2 members, means the following entities to the extent that the entity employs any law enforcement officer and/or firefighter:

(i) The legislative authority of any city, town, county, district, public corporation, or regional fire protection service authority established under RCW 35.21.730 to provide emergency medical services as defined in RCW 18.73.030;

(ii) The elected officials of any municipal corporation;

(iii) The governing body of any other general authority law enforcement agency;

(iv) A four-year institution of higher education having a fully operational fire department as of January 1, 1996; or

(v) The department of social and health services or the department of corrections when employing firefighters serving at a prison or civil commitment center on an island.

(c) Except as otherwise specifically provided in this chapter, "employer" does not include a government contractor. For purposes of this subsection, a "government contractor" is any entity, including a partnership, limited liability company, for-profit or nonprofit corporation, or person, that provides services pursuant to a contract with an "employer." The determination whether an employer-employee relationship has been established is not based on the relationship between a government contractor and an "employer," but is based solely on the relationship between a government contractor's employee and an "employer" under this chapter.

(15)(a) "Final average salary" for plan 1 members, means (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) "Final average salary" for plan 2 members, means the monthly average of the member's basic salary for the highest consecutive sixty service credit months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(c) In calculating final average salary under (a) or (b) of this subsection, the department of retirement systems shall include:

(i) Any compensation forgone by a member employed by a state agency or institution during the 2009-2011 fiscal biennium as a result of reduced work hours, mandatory or voluntary leave without pay, temporary reduction in pay implemented prior to December 11, 2010, or temporary layoffs if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer;

(ii) Any compensation forgone by a member employed by the state or a local government employer during the 2011-2013 fiscal biennium as a result of reduced work hours, mandatory leave without pay, temporary layoffs, or reductions to current pay if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases; and

(iii) Any compensation forgone by a member employed by the state or a local government employer during the 2019-2021 and 2021-2023 fiscal biennia as a result of reduced work hours, mandatory leave without pay, temporary layoffs, furloughs, reductions to current pay, or other similar measures resulting from the COVID-19 budgetary crisis, if the reduced compensation is an integral part of the employer's expenditure reduction efforts, as certified by the employer. Reductions to current pay shall not include elimination of previously agreed upon future salary increases.

(16) "Fire department" includes a fire station operated by the department of social and health services or the department of corrections when employing firefighters serving a prison or civil commitment center on an island.

(17) "Firefighter" means:

(a) Any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for firefighter, and who is actively employed as such;

(b) Anyone who is actively employed as a full time firefighter where the fire department does not have a civil service examination;

(c) Supervisory firefighter personnel;

(d) Any full time executive secretary of an association of fire protection districts authorized under RCW 52.12.031. The provisions of this subsection (17)(d) shall not apply to plan 2 members;

(e) The executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW. The provisions of this subsection (17)(e) shall not apply to plan 2 members;

(f) Any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for firefighter;

(g) Any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971, was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW; and

(h) Any person who is employed on a full-time, fully compensated basis by an employer as an emergency medical technician that meets the requirements of RCW 18.71.200 or 18.73.030(13), and whose duties include providing emergency medical services as defined in RCW 18.73.030.

(18) "General authority law enforcement agency" means any agency, department, or division of a municipal corporation, political subdivision, or other unit of local government of this state, the government of a federally recognized tribe, and any agency, department, or division of state government, having as its primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general, but not including the Washington state patrol. Such an agency, department, or division is distinguished from a limited authority law enforcement agency having as one of its functions the apprehension or detection of persons committing infractions or violating the traffic or criminal laws relating to limited subject areas, including but not limited to, the state departments of natural resources and social and health services, the state gambling commission, the state lottery commission, the state parks and recreation commission, the state utilities and transportation commission, the state liquor and cannabis board, and the state department of corrections. A general authority law enforcement agency under this chapter does not include a government contractor.

(19) "Law enforcement officer" beginning January 1, 1994, means any person who is commissioned and employed by an employer on a full time, fully compensated basis to enforce the criminal laws of the state of Washington generally, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

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(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers;

(d) The term "law enforcement officer" also includes the executive secretary of a labor guild, association or organization (which is an employer under subsection (14) of this section) if that individual has five years previous membership in the retirement system established in chapter 41.20 RCW. The provisions of this subsection (19)(d) shall not apply to plan 2 members;

(e) The term "law enforcement officer" also includes a person employed on or after January 1, 1993, as a public safety officer or director of public safety, so long as the job duties substantially involve only either police or fire duties, or both, and no other duties in a city or town with a population of less than ten thousand. The provisions of this subsection (19)(e) shall not apply to any public safety officer or director of public safety who is receiving a retirement allowance under this chapter as of May 12, 1993; (~~and~~)

(f) The term "law enforcement officer" also includes a person who is employed on or after January 1, 2024, on a full-time basis by the government of a federally recognized tribe within the state of Washington that meets the terms and conditions of RCW 41.26.565, is employed in a police department maintained by that tribe, and who is currently certified as a general authority peace officer under chapter 43.101 RCW; and

(g) Beginning July 1, 2024, the term "law enforcement officer" also includes any person who is commissioned and employed by an employer on a fully compensated basis to enforce the criminal laws of the state of Washington generally, on a less than full-time basis, with the qualifications in (a) through (e) of this subsection.

(20) "Medical services" for plan 1 members, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered "other medical expenses," provided that they have not been considered as "hospital expenses."

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopathic physician and surgeon licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a

member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic X-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his or her teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(21) "Member" means any firefighter, law enforcement officer, or other person as would apply under subsection (17) or (19) of this section whose membership is transferred to the Washington law enforcement officers' and firefighters' retirement system on or after March 1, 1970, and every law enforcement officer and firefighter who is employed in that capacity on or after such date.

(22) "Plan 1" means the law enforcement officers' and firefighters' retirement system, plan 1 providing the benefits and funding provisions covering persons who first became members of the system prior to October 1, 1977.

(23) "Plan 2" means the law enforcement officers' and firefighters' retirement system, plan 2 providing the benefits and funding provisions covering persons who first became members of the system on and after October 1, 1977.

(24) "Position" means the employment held at any particular time, which may or may not be the same as civil service rank.

(25) "Regular interest" means such rate as the director may determine.

(26) "Retiree" for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(27) "Retirement fund" means the "Washington law enforcement officers' and firefighters' retirement system fund" as provided for herein.

(28) "Retirement system" means the "Washington law enforcement officers' and firefighters' retirement system" provided herein.

(29)(a) "Service" for plan 1 members, means all periods of employment for an employer as a firefighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all service credit months of service rendered by a member from and after the member's initial commencement of employment as a firefighter or law enforcement officer, during which the member worked for seventy or more hours, or was on disability leave or disability retirement. Only service credit

months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter.

(i) For members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, "service" shall also include (A) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under the member's particular prior pension act, and (B) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160, or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act.

(ii) A member who is employed by two employers at the same time shall only be credited with service to one such employer for any month during which the member rendered such dual service.

(iii) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(b)(i) "Service" for plan 2 members, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per calendar month which shall constitute a service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for at least seventy hours but less than ninety hours per calendar month shall constitute one-half service credit month. Periods of employment by a member for one or more employers for which basic salary is earned for less than seventy hours shall constitute a one-quarter service credit month.

(ii) Members of the retirement system who are elected or appointed to a state elective position may elect to continue to be members of this retirement system.

(iii) Service credit years of service shall be determined by dividing the total number of service credit months of service by twelve. Any fraction of a service credit year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

(iv) If a member receives basic salary from two or more employers during any calendar month, the individual shall receive one service credit month's service credit during any calendar month in which multiple service for ninety or more hours is rendered; or one-half service credit month's service credit during any calendar month in which multiple service for at least seventy hours but less than ninety hours is rendered; or one-quarter service credit month during any calendar month in which multiple service for less than seventy hours is rendered.

(v) Reduction efforts such as furloughs, reduced work hours, mandatory leave without pay, temporary layoffs, or other similar situations as contemplated by subsection (15)(c)(iii) of this section do not result in a reduction in service credit that otherwise would have been earned for that month of work, and the member shall receive the full service credit for the hours that were scheduled to be worked before the reduction.

(30) "Service credit month" means a full service credit month or an accumulation of partial service credit months that are equal to one.

(31) "Service credit year" means an accumulation of months of service credit which is equal to one when divided by twelve.

(32) "State actuary" or "actuary" means the person appointed pursuant to RCW 44.44.010(2).

(33) "State elective position" means any position held by any person elected or appointed to statewide office or elected or appointed as a member of the legislature.

(34) "Surviving spouse" means the surviving widow or widower of a member. "Surviving spouse" shall not include the divorced spouse of a member except as provided in RCW 41.26.162.

NEW SECTION. Sec. 5. Section 3 of this act expires July 1, 2025.

NEW SECTION. Sec. 6. Section 4 of this act takes effect July 1, 2025."

On page 1, line 2 of the title, after "officers;" strike the remainder of the title and insert "amending RCW 41.26.030 and 41.26.030; reenacting and amending RCW 10.93.020; adding a new section to chapter 49.28 RCW; providing an effective date; and providing an expiration date."

Senator Lovick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 475 by Senator Lovick on page 11, line 11 to Substitute Senate Bill No. 5424.

The motion by Senator Lovick carried and amendment no. 475 was adopted by voice vote.

MOTION

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

Senator Lovick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5424.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5424 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Randall

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

THIRD READING

ENGROSSED SENATE JOINT MEMORIAL NO. 8006, by Senators Hasegawa, Cleveland, Billig, Kuderer, Lovelett, Nguyen, Shewmake, Stanford, Valdez, and Wilson, C.

Requesting that the federal government create a universal health care program.

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The bill was read on Third Reading.

MOTIONS

On motion of Senator Hasegawa, the rules were suspended and Senate Joint Memorial No. 8006 was returned to second reading for the purposes of amendment.

Senator Hasegawa moved that the following amendment no. 474 by Senator Hasegawa be adopted:

Beginning on page 1, line 10, strike all material through page 3, line 28 and insert the following:

"WHEREAS, Universal health care is one of the most important issues in the United States; and

WHEREAS, Article 25 of the universal declaration of human rights ratified by the United Nations declares health care is a human right; and

WHEREAS, Reverend Dr. Martin Luther King, Jr. said, "Of all the forms of inequality, injustice in health is the most shocking and inhuman"; and

WHEREAS, Our current health care system is in a downward spiral with costs continuing to skyrocket, medical debt driving many into bankruptcy or life-altering indebtedness, increasing child mortality rates especially in communities with lower incomes, and creating unnecessary suffering in entire families who struggle to maintain health care insurance coverage or recover from the impacts of health care costs up to and including bankruptcy and homelessness; and

WHEREAS, A national universal health care program is the most efficient and cost-effective means of providing access to health care for everyone and eliminating the economic, physical and mental health pain and suffering so many Americans are experiencing due to lack of timely access to health care and/or debt incurred; and

WHEREAS, A single-payer health plan in the state of Washington would replace the state's current multipayer system in which individuals, private businesses, and government entities pay public and private insurers for health care coverage; and

WHEREAS, This health plan would establish a state agency to finance all medically necessary health care with substantial savings compared with the existing multipayer system of public and private insurers; and

WHEREAS, This health plan would reduce financial barriers to access care and the growing number of residents with inadequate coverage. By reducing administrative and other waste, including health insurance company profits and excessive prices for drugs, hospitals, and medical devices, it would save money on health care; and

WHEREAS, Washington businesses and workers will benefit by lowering the cost of health care, removing the burden of unfunded and inadequate coverage, and allowing businesses to compete more effectively on national and international markets. Businesses will also benefit directly by removing the cost of selecting and implementing health insurance programs for their workers, a billion-dollar expenditure for businesses in the state; and

WHEREAS, The current system of fragmented private health insurance is the main obstacle to expanding access to health care because it promotes administrative waste, both in the processing of bills by providers and in the administration of a health insurance system with its many separate health insurance companies, each offering a large variety of separate plans, each plan involving separate pricing schemes; and

WHEREAS, The large number of independent companies and health plans forces each provider to operate an entire back office with billing clerks and other personnel to deal with billing and negotiating prices for services and vastly inflating the cost for providing health care; and

WHEREAS, The failures of the current private health insurance system allow many opportunities to do better. Our health care problems are not inevitable, not the result of technology or "consumers" insatiable greed. They are the result of bad institutions: Private health insurance and for-profit medicine whose financial incentives favor sickness and treatment over prevention and recovery. We have made mistakes in designing our health care system and we are paying for those mistakes. But that means that we can design a better system; and

WHEREAS, Replacing an inefficient, inequitable, and destructive health care finance system with a fair system will promote economic efficiency, better health, and good public policy; and

WHEREAS, Because the failures of our health care system most dramatically harm marginalized communities, creating a system of universal access, free point-of-service care and standardized reimbursements will not only make health care less expensive, it will also make it fairer and more equitable. Instead of being a system that destroys future opportunity for many, it will be a system which empowers communities through their newfound health and independence;

NOW, THEREFORE, Your Memorialists respectfully pray that the federal government:

(1) Create a universal health care program to ensure that every resident of Washington state and our country has timely access to health care services without incurring crippling familial debt;

(2) Absent federal government action on the request in subsection (1) of this memorial, partner with the state of Washington to reduce barriers and allow the state to successfully implement a single-payer health system for the people of Washington such as passing HR 6270 (by Rep. Ro Khanna, CA-17) in Congress which will allow states to create their own universal health care programs; or

(3) Absent federal government action on the requests in subsections (1) and (2) of this memorial with the appropriate federal agencies, work to grant Washington state the appropriate waivers to remove the restrictions on the state's ability to create a universal health care system.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Joseph R. Biden, Jr., President of the United States, the Secretary of the United States Department of Health and Human Services, the Secretary of the United States Department of Labor, the federal agencies involved with granting the requested necessary waivers, the President of the United States Senate, the Speaker of the House of Representatives, each member of Congress from the State of Washington."

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

The President declared the question before the Senate to be the adoption of amendment no. 474 by Senator Hasegawa on page 1, line 10 to Senate Joint Memorial No. 8006.

The motion by Senator Hasegawa carried and amendment no. 474 was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Senate Joint Memorial No. 8006 was advanced to third

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

Senator Hasegawa spoke in favor of passage of the memorial.
 Senator Muzzall spoke against passage of the memorial.

MOTION

On motion of Senator Wagoner, Senator McCune was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Joint Memorial No. 8006.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Memorial No. 8006 and the memorial passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

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

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

Excused: Senators McCune and Randall

ENGROSSED SENATE JOINT MEMORIAL NO. 8006, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5648, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Randall, Nguyen, Nobles, and Wilson, C.)

Including state-tribal education compact schools and charter schools as entities able to receive waivers from the state board of education.

The bill was read on Third Reading.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5648.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5648 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

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

Excused: Senators McCune and Randall

SUBSTITUTE SENATE BILL NO. 5648, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 5631, by Senators Torres, Saldaña, Billig, Frame, Hunt, Lovelett, Nobles, Pedersen, Randall, Schoesler, Shewmake, Trudeau, Valdez, Warnick, and Wilson, C.

Requiring state agencies to clearly identify programs and services which accept applicants with deferred action for childhood arrival status.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, Senate Bill No. 5631 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5631.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5631 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators McCune and Randall

SENATE BILL NO. 5631, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:22 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, January 18, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

ELEVENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, January 18, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 16, 2024

SB 5404 Prime Sponsor, Senator Wagoner: Increasing cannabis revenue distributions to local governments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5568 Prime Sponsor, Senator Wagoner: Restoring liquor sales revenue distributions to local governments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Ways & Means.

January 17, 2024

SB 5774 Prime Sponsor, Senator Billig: Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5774 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5778 Prime Sponsor, Senator Keiser: Protecting the rights of workers to refrain from attending meetings or listening to their employer's speech on political or religious matters. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5778 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and MacEwen.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5790 Prime Sponsor, Senator Dhingra: Concerning bleeding control equipment in schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5794 Prime Sponsor, Senator King: Concerning architecture licensing examinations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5794 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5804 Prime Sponsor, Senator Kuderer: Concerning opioid overdose reversal medication in high schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5804 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5808 Prime Sponsor, Senator Van De Wege: Granting interest arbitration to certain public safety telecommunicators. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5808 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen; MacEwen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

2024 REGULAR SESSION

Referred to Committee on Rules for second reading.

January 16, 2024

SB 5886 Prime Sponsor, Senator Braun: Adding purposes for the use of existing firefighter safety funding. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5904 Prime Sponsor, Senator Nobles: Extending the terms of eligibility for financial aid programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

January 17, 2024

SB 5923 Prime Sponsor, Senator Wellman: Addressing fentanyl and other substance use prevention education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5923 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 16, 2024

SB 5979 Prime Sponsor, Senator Keiser: Concerning accrued leave for construction workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5999 Prime Sponsor, Senator Hansen: Expanding financial aid eligibility. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

January 17, 2024

SB 6035 Prime Sponsor, Senator Liias: Concerning the public service loan forgiveness program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

January 17, 2024

SB 6053 Prime Sponsor, Senator Holy: Improving equitable access to postsecondary education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6053 be substituted therefor, and the substitute bill do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Rules for second reading.

January 17, 2024

SGA 9382 NICOLE R. BASCOMB-GREEN, appointed on July 31, 2023, for the term ending at the Governor's pleasure, as Chair of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake and Trudeau.

Referred to Committee on Rules for second reading.

January 17, 2024

SGA 9384 WILLIAM N. RUMPF, reappointed on July 31, 2023, for the term ending June 30, 2027, as Member of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake and Trudeau.

Referred to Committee on Rules for second reading.

January 16, 2024

SGA 9410 ELIZABETH G. FORD, appointed on October 2, 2023, for the term ending September 8, 2028, as Member of the Public Employment Relations Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

ELEVENTH DAY, JANUARY 18, 2024

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6035 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules.

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

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE I-2081

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2081 to be examined in the following manner:

1. It was determined that 449,646 signatures were submitted by the sponsors of the initiative. A random sample of 13,490 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,937 valid signatures, 2,529 signatures that were invalid and 24 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling 75 by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (86,810) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (38,320) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (34) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (25) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2081 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 18th day of January, 2024.

STEVE HOBBS
Secretary of State

[seal]

Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
Administration Division
PO Box 40100 • Olympia, WA 98504-0100 • (360) 753-6200

May 5, 2023

The Honorable Steve Hobbs
Elections Division
ATTN: Initiative and Referendum
PO Box 40220
Olympia, WA 98504-0220

Re: Initiative No. 2081

Dear Secretary Hobbs:
Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2081 to the Legislature (an act relating to establishing the parents' bill of rights).

BALLOT TITLE

Statement of Subject: Initiative Measure No. 2081 concerns parental rights relating to their children's public school education.

Concise Description: This measure would provide certain rights to parents and guardians of public- school children, including rights to review instructional materials, inspect records, receive certain notifications, and opt out of certain activities, like sexual- health education.

Should this measure be enacted into law? Yes [] No []

BALLOT MEASURE SUMMARY

This measure would allow parents and guardians of public-school children to review instructional materials and inspect student records including health and disciplinary records, upon request. It would require public schools to provide parents and guardians with certain notifications including about medical services given and when students are taken off campus; access to calendars and certain policies; and written notice and opportunities to opt students out of comprehensive sexual- health education and answering certain surveys or assignments.

Sincerely,
/s/ Cristina Sepe
CRISTINA SEPE
Deputy Solicitor General

Initiative Measure No. 2081
Filed April 19, 2023

AN ACT Relating to establishing the parents' bill of rights; and adding a new section to chapter 28A.605 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. A new section is added to chapter 28A.605 RCW to read as follows:

- (1) The legislature finds that: (a) Parents are the primary stakeholders in their children's upbringing; (b) parental involvement is a significant factor in increasing student achievement; and (c) access to student information encourages greater parental involvement.
- (2) Parents and legal guardians of public school children younger than 18 years old have all of the following rights:
 - (a) To examine the textbooks, curriculum, and supplemental material used in their child's classroom;
 - (b)(i) To inspect their child's public school records in accordance with RCW 28A.605.030, and to receive a copy of their child's records within 10 business days of submitting a written request, either electronically or on paper.
 - (ii) Parents or legal guardians must not be required to appear in person for the purposes of requesting or validating a request for their child's public school records.
 - (iii) No charge may be imposed on a parent or legal guardian to receive such records electronically. Any charges for a paper copy of such records must be reasonable and set forth in the official policies and procedures of the school district.
 - (iv) Public school records include all of the following:
 - (A) Academic records including, but not limited to, test and assessment scores in accordance with RCW 28A.230.195;
 - (B) Medical or health records;
 - (C) Records of any mental health counseling;
 - (D) Records of any vocational counseling;
 - (E) Records of discipline, including expulsions and suspensions under RCW 28A.600.015;
 - (F) Records of attendance, including unexcused absences in accordance with RCW 28A.225.020;
 - (G) Records associated with a child's screening for learning challenges, exceptionalities, plans for an individualized education program, or plan adopted under section 504 of the rehabilitation act of 1973; and
 - (H) Any other student-specific files, documents, or other materials that are maintained by the public school;
 - (c) To receive prior notification when medical services are being offered to their child, except where emergency medical treatment is required. In cases where emergency medical treatment is required, the parent and legal guardian must be notified as soon as practicable after the treatment is rendered;
 - (d) To receive notification when any medical service or medications have been provided to their child that could result in any financial impact to the parent's or legal guardian's health insurance payments or copays;
 - (e) To receive notification when the school has arranged directly or indirectly for medical treatment that results in follow-up care beyond normal school hours. Follow-up care includes monitoring the child for aches and pains, medications, medical devices such as crutches, and emotional care needed for the healing process;
 - (f) To receive immediate notification if a criminal action is deemed to have been committed against their child or by their child;
 - (g) To receive immediate notification if law enforcement personnel question their child, except in cases where the parent or legal guardian has been accused of abusing or neglecting the child;

- (h) To receive immediate notification if their child is taken or removed from the public school campus without parental permission, including to stay at a youth shelter or "host home" as defined in RCW 74.15.020;
- (i) To receive assurance their child's public school will not discriminate against their child based upon the sincerely held religious beliefs of the child's family in accordance with chapter 28A.642 RCW;
- (j) To receive written notice and the option to opt their child out of any surveys, assignments, questionnaires, role-playing activities, recordings of their child, or other student engagements that include questions about any of the following:
 - (i) The child's sexual experiences or attractions;
 - (ii) The child's family beliefs, morality, religion, or political affiliations;
 - (iii) Any mental health or psychological problems of the child or a family member; and
 - (iv) All surveys, analyses, and evaluations subject to areas covered by the protection of pupil rights amendment of the family educational rights and privacy act;
- (k) To receive written notice and have the option to opt their child out of instruction on topics associated with sexual activity in accordance with RCW 28A.300.475;
- (l) To receive from the public school the annual school calendar, no later than 30 days prior to the beginning of the school year, and to be notified in writing as soon as feasible of any revisions to such calendar. Such calendar must be posted to the public school's website and must include, at a minimum, student attendance days and any event that requires parent or student attendance outside of normal school days or hours;
- (m) To receive in writing each year or to view on the public school's website a comprehensive listing of any required fee and its purpose and use and a description of how economic hardships may be addressed;
- (n) To receive in writing each year or to view on the school's website a description of the school's required dress code or uniform established pursuant to RCW 28A.320.140, if applicable, for students; and
- (o) To be informed if their child's academic performance, including whether their child is provided a student learning plan under RCW 28A.655.270, is such that it could threaten the child's ability to be promoted to the next grade level and to be offered an in-person meeting with the child's classroom teacher and principal to discuss any resources or strategies available to support and encourage the child's academic improvement.
- (3) Notwithstanding anything to the contrary, a public school shall not be required to release any records or information regarding a student's medical or health records or mental health counseling records to a parent during the pendency of an investigation of child abuse or neglect conducted by any law enforcement agency or the department of children, youth, and families where the parent is the target of the investigation, unless the parent has obtained a court order.
- (4) As used in this section "public school" has the same meaning as in RCW 28A.150.010.

MOTION

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

ELEVENTH DAY, JANUARY 18, 2024

INTRODUCTION AND FIRST READING

SB 6271 by Senators Keiser and Stanford

AN ACT Relating to modifying the cannabis excise tax to consider THC concentration; adding a new section to chapter 69.50 RCW; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6272 by Senator Mullet

AN ACT Relating to dedicating the state share of cannabis excise tax revenue to counties and cities for the purpose of attracting and retaining commissioned law enforcement officers; and amending RCW 69.50.540.

Referred to Committee on Labor & Commerce.

SB 6273 by Senator Boehnke

AN ACT Relating to conducting an audit of the juvenile rehabilitation system; creating a new section; and providing an expiration date.

Referred to Committee on Human Services.

SB 6274 by Senator Torres

AN ACT Relating to establishing a grant program to fund school resource officers on public school campuses; and amending RCW 28A.300.650.

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

SB 6275 by Senators Nobles and Wilson, C.

AN ACT Relating to identifying African American studies curricula for students in grades seven through 12; creating new sections; and providing an expiration date.

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

MOTIONS

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

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

Senator Kuderer moved adoption of the following resolution:

SENATE RESOLUTION
8653

By Senators Kuderer, Kauffman, Hasegawa, Nobles, Lovelett, and Wellman

WHEREAS, The Washington State Senate recognize Spokane-born Danny O'Keefe, for all his musical accomplishments, along with his environmental and cultural activism; and

WHEREAS, Danny O'Keefe has had a long-lasting career of over 50 years in both music and advocacy; and

WHEREAS, Danny O'Keefe has collaborated with numerous other musicians, such as writing "Well, Well, Well" with Bob Dylan; and

WHEREAS, His song "Good Time Charlie's Got the Blues" reached the top 10 songs on multiple US charts in 1972 and has sold over a million copies; and

WHEREAS, Danny O'Keefe has inspired other musicians to record and share versions of his songs, such as Elvis Presley, Jerry Lee Lewis, Judy Collins, Willie Nelson, and Andy Williams; and

WHEREAS, Danny O'Keefe uses his platform to raise awareness on issues outside of music, having founded the Songbird Foundation, an organization that advocated for songbird species and their habitat loss; and

WHEREAS, Danny O'Keefe continues to perform at numerous benefit concerts for communities in Washington State; and

WHEREAS, Danny O'Keefe named his album *Looking Glass & The Dreamers* after the renowned strategist and Nez Perce leader Chief Looking Glass; and

WHEREAS, Danny O'Keefe has researched, read about, learned from, and met with the Nez Perce Tribe to gain invaluable knowledge of their culture and history; and

WHEREAS, Danny O'Keefe learned of the Nez Perce Tribe's plight in the early colonial United States and the significance colonialism had on their lands and their freedoms; and

WHEREAS, Danny O'Keefe has used his music to educate others on the history of the Nez Perce Tribe as one of the original stewards of the Northwest; and

WHEREAS, Danny O'Keefe's music and collaboration with Indigenous artists has led to renewed calls for solidarity; and

WHEREAS, Danny O'Keefe celebrated his 80th birthday last May;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor Danny O'Keefe for his numerous accomplishments and contributions to Washington State as a changemaker.

Senators Kuderer and Kauffman spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8653.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Shannon Wheeler, Chairman, Nez Perce Tribal Executive Committee (NPTEC) who was seated in the gallery. The Nimiipuu people have been connected to the lands and waters across modern-day Idaho, Washington, Oregon, and Montana. Headquartered in Lapwai, the Nez Perce Reservation spans about 770,000 acres within the State of Idaho.

MOTION

At 12:41 p.m., on motion of Senator Pedersen, the Senate adjourned until 11:30 a.m. Friday, January 19, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWELFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, January 19, 2024

The Senate was called to order at 11:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Housing was granted special leave to continue to meet during the day's floor session.

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 18, 2024

SB 5444 Prime Sponsor, Senator Valdez: Concerning firearm sensitive places. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5444 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5780 Prime Sponsor, Senator Torres: Expanding training opportunities for public defense. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5780 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5784 Prime Sponsor, Senator Van De Wege: Concerning deer and elk damage to commercial crops. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5784 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5785 Prime Sponsor, Senator Warnick: Concerning department of fish and wildlife authority with regard to certain nonprofit and volunteer organizations. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5785 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5805 Prime Sponsor, Senator Frame: Developing a schedule for court appointment of attorneys for children and youth in dependency and termination proceedings. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senator Boehnke, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 17, 2024

SB 5807 Prime Sponsor, Senator Frame: Concerning housing authorities. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5809 Prime Sponsor, Senator Mullet: Concerning enrichment funding for charter public schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5809 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; McCune and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Nobles, Vice Chair; Hunt and Pedersen.

TWELFTH DAY, JANUARY 19, 2024

Referred to Committee on Ways & Means.

January 18, 2024

SB 5828 Prime Sponsor, Senator Shewmake: Concerning water rights adjudication commissioners and referees. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5828 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators McCune; Torres and Wilson, L.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5840 Prime Sponsor, Senator Padden: Concerning leases. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5840 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5841 Prime Sponsor, Senator Lovick: Requiring individuals convicted of offenses related to driving under the influence to pay financial support to minor children and dependents when the offense results in the death or disability of a parent. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5841 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 17, 2024

SB 5850 Prime Sponsor, Senator Braun: Supporting students who are chronically absent and at risk for not graduating high school. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators McCune and Pedersen.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5852 Prime Sponsor, Senator Braun: Concerning special education safety net awards. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5860 Prime Sponsor, Senator Fortunato: Concerning spring blade knives. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Wagoner and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Trudeau, Vice Chair and Valdez.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5862 Prime Sponsor, Senator Fortunato: Concerning hunting and fishing licenses for nonresident college students. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Muzzall, Ranking Member.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5882 Prime Sponsor, Senator Stanford: Increasing prototypical school staffing to better meet student needs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5882 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5883 Prime Sponsor, Senator Trudeau: Concerning the burden of proof for special education due process hearings. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5888 Prime Sponsor, Senator Wilson, C.: Concerning statewide health care coordination and communication regarding individuals housed in confinement settings. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5888 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5889 Prime Sponsor, Senator Kauffman: Establishing the customer voice council. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Wilson, J.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5893 Prime Sponsor, Senator Wilson, C.: Providing gate money to individuals releasing from custody prior to the expiration of their sentence. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5893 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Warnick.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5908 Prime Sponsor, Senator Wilson, C.: Providing extended foster care services to youth ages 18 to 21. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5908 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5912 Prime Sponsor, Senator Wilson, C.: Concerning reentry services and supports. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5912 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5921 Prime Sponsor, Senator Stanford: Concerning tribal representation on the state conservation commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5937 Prime Sponsor, Senator Dhingra: Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5937 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Torres and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5972 Prime Sponsor, Senator Liias: Concerning the use of neonicotinoid pesticides. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5972 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Stanford and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Ranking Member; Short and Wagoner.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5974 Prime Sponsor, Senator Frame: Concerning the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5974 be substituted therefor, and the substitute bill do

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pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5981 Prime Sponsor, Senator Frame: Concerning the indeterminate sentence review board. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5985 Prime Sponsor, Senator Hansen: Concerning firearms background check program. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5985 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5998 Prime Sponsor, Senator Hansen: Timing of eligibility for vacation of nonfelony convictions. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5998 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators McCune; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member and Torres.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 6006 Prime Sponsor, Senator Dhingra: Supporting victims of human trafficking and sexual abuse. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6006 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Torres; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Ways & Means.

January 18, 2024

SB 6014 Prime Sponsor, Senator Wellman: Increasing the special education enrollment funding cap. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 18, 2024

SB 6021 Prime Sponsor, Senator Hansen: Reducing fees and expenses for services for people confined to correctional facilities. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6021 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senator Boehnke, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 17, 2024

SB 6030 Prime Sponsor, Senator Braun: Amending the county population threshold for counties that may exempt from taxation the value of accessory dwelling units to incentivize rental to low-income households. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

January 18, 2024

SB 6036 Prime Sponsor, Senator Muzzall: Concerning agriculture pest and disease response. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

January 18, 2024

SB 6063 Prime Sponsor, Senator Frame: Modifying the definition of persistent offender to exclude convictions for offenses committed by someone under the age of 18 and providing for resentencing. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senator Boehnke, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 6080 Prime Sponsor, Senator Boehnke: Simplifying the funding provisions of the statewide tourism marketing account. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

January 18, 2024

SB 6188 Prime Sponsor, Senator Boehnke: Authorizing authorities to address aerial firefighting aspects as part of permitting processes for communities at risk of wildfires. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Environment, Energy & Technology.

January 18, 2024

SJM 8007 Prime Sponsor, Senator Kauffman: Requesting Congress to fully fund 40 percent of the costs of IDEA. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5805 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules and Senate Bill No. 5852 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

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

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Agriculture, Department of - *“Compost Reimbursement Program Report 2024”*, pursuant to 15.04.420 RCW;

Commerce, Department of - *“Permanent Supportive Housing Need Forecast”*, in accordance with Engrossed Substitute Senate Bill No. 5187;

Criminal Justice Training Commission, Washington State - *“Case Systems Training Review 2023”*, in accordance with House Bill No. 1109;

Fish and Wildlife, Department of - *“Hunter and Fisher Compliance: Harvest Reporting and Administrative Penalties Report to the Legislature 2023”*, pursuant to 77.32.070 RCW;

Governor's Interagency Council on Health Disparities - *“State Policy Action Plan to Eliminate Health Disparities, 2024 Update”*, pursuant to 43.20.280 RCW;

Health Care Authority - *“Review of Program Integrity Managed Care Oversight, Accountability, and Savings”*, in accordance with Engrossed Substitute Senate Bill No. 5187;

Public Instruction, Office of the Superintendent of - *“Substitute House Bill (SHB) 1701: Institutional Education”*, pursuant to 28A.300.040 RCW; *“UPDATE: School District Supplemental Contracts”*, pursuant to 28A.400.2001 RCW; *“High School and Beyond Plan: Universal Online Platform”*, pursuant to 28A.230.215 RCW;

Social & Health Services, Department of - *“Permanent Supportive Housing Need Forecast”*, in accordance with Engrossed Substitute Senate Bill No. 5187;

Transportation, Department of - *“Washington State Ferries Anacortes to San Juan Island Walk-on Ridership Maximization Study”*, in accordance with Engrossed Substitute House Bill No. 1125;

University of Washington, Center on Intimate Partner Violence Research, Policy and Practice - *“Report to the Legislature”*, in accordance with Engrossed Second Substitute House Bill No. 1715.

MOTION

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

MESSAGE FROM THE HOUSE

January 17, 2024

MR. PRESIDENT:

TWELFTH DAY, JANUARY 19, 2024

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1121,
HOUSE BILL NO. 1330,
HOUSE BILL NO. 1726,
SUBSTITUTE HOUSE BILL NO. 1818,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SI 2081 by People of the State of Washington

Regulating home equity sharing agreements under the consumer loan act.

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

SB 6276 by Senators Stanford and Nguyen

AN ACT Relating to supporting the servicing and right to repair of certain products with digital electronics in a secure and reliable manner to increase access and affordability for Washingtonians; and adding a new chapter to Title 19 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6277 by Senators Lias and King

AN ACT Relating to creating a new statutory framework for the use of public-private partnerships for transportation projects; amending RCW 47.56.030, 47.56.031, and 70A.15.4030; adding a new section to chapter 47.10 RCW; adding a new chapter to Title 47 RCW; repealing RCW 47.29.010, 47.29.020, 47.29.030, 47.29.040, 47.29.050, 47.29.060, 47.29.070, 47.29.080, 47.29.090, 47.29.100, 47.29.110, 47.29.120, 47.29.130, 47.29.140, 47.29.150, 47.29.160, 47.29.170, 47.29.180, 47.29.190, 47.29.200, 47.29.210, 47.29.220, 47.29.230, 47.29.240, 47.29.250, 47.29.260, 47.29.270, 47.29.280, and 47.29.290; and providing an effective date.

Referred to Committee on Transportation.

SB 6278 by Senators Lias and Muzzall

AN ACT Relating to promoting organic agriculture; amending RCW 15.86.070; creating new sections; and providing an expiration date.

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

SB 6279 by Senator Fortunato

AN ACT Relating to allowing ultrasounds prior to terminating a pregnancy; and amending RCW 9.02.110.

Referred to Committee on Health & Long-Term Care.

SB 6280 by Senator Braun

AN ACT Relating to parking privileges for veterans; and amending RCW 46.19.010, 46.19.040, and 41.04.007.

Referred to Committee on Transportation.

SB 6281 by Senators Van De Wege and Warnick

AN ACT Relating to investing in reforestation efforts following landscape-scale forest disturbances; amending RCW 70A.65.270; adding a new section to chapter 76.14 RCW; creating a new section; and making appropriations.

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

SB 6282 by Senator Salomon

AN ACT Relating to seizure and forfeiture procedures; and reenacting and amending RCW 69.50.505.

Referred to Committee on Law & Justice.

SB 6283 by Senators Nobles, Billig, Shewmake, Holy, King, Lias, Lovick, Wilson, C., Wilson, J., Valdez, Kauffman, Hawkins, Lovelett, Padden, Fortunato, Cleveland and Trudeau

AN ACT Relating to eliminating the expiration date for the Sandy Williams connecting communities program; and amending RCW 47.04.380.

Referred to Committee on Transportation.

MOTIONS

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

At 11:33 a.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, January 22, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, January 22, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Law & Justice was granted special leave to continue to meet during the day's floor session.

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 18, 2024

SB 5184 Prime Sponsor, Senator Rivers: Concerning licensure of anesthesiologist assistants. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Holy; Padden and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Conway and Dhingra.

Referred to Committee on Rules for second reading.

January 19, 2024

SB 5570 Prime Sponsor, Senator Lovelett: Authorizing electric utilities to establish energy efficiency revolving loan programs. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5570 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5791 Prime Sponsor, Senator Padden: Concerning the evaluation of the effectiveness of oral fluid roadside information in the enforcement of driving under the influence laws. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5791 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; MacEwen; Padden; Wilson, C. and Wilson, J.

MINORITY recommendation: Do not pass. Signed by Senators Kauffman; Nobles and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovelett.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5800 Prime Sponsor, Senator Wilson, C.: Improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5811 Prime Sponsor, Senator Kauffman: Expanding the definition of family member for individual providers. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden and Van De Wege.

Referred to Committee on Ways & Means.

January 18, 2024

SB 5825 Prime Sponsor, Senator Pedersen: Concerning guardianship and conservatorship. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5825 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 19, 2024

SB 5838 Prime Sponsor, Senator Nguyen: Establishing an artificial intelligence task force. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5838 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Trudeau and Wellman.

FIFTEENTH DAY, JANUARY 22, 2024

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Ways & Means.

January 19, 2024

SB 5884 Prime Sponsor, Senator Trudeau: Concerning court-ordered restitution in environmental criminal cases. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member and Boehnke.

MINORITY recommendation: Do not pass. Signed by Senator Short.

Referred to Committee on Rules for second reading.

January 19, 2024

SB 5913 Prime Sponsor, Senator Valdez: Concerning communication between employees of state institutions of higher education and student athletes regarding name, image, and likeness use. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier and Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

January 18, 2024

SB 5940 Prime Sponsor, Senator Van De Wege: Creating a medical assistant-EMT certification. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5940 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden and Van De Wege.

Referred to Committee on Rules for second reading.

January 19, 2024

SB 6039 Prime Sponsor, Senator Lovelett: Promoting the development of geothermal energy resources. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6039 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

January 18, 2024

SJM 8008 Prime Sponsor, Senator Wilson, J.: Designating mileposts 45 to 51 of state route number 6 as the Washington state patrol trooper Justin R. Schaffer memorial highway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 19, 2024

SCR 8414 Prime Sponsor, Senator Lovick: Creating a joint select committee on civic health. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Hasegawa.

Referred to Committee on Rules for second reading.

January 19, 2024

SGA 9359 J. R. LEACH, appointed on June 1, 2023, for the term ending December 31, 2027, as Member of the Public Disclosure Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Hasegawa.

Referred to Committee on Rules for second reading.

January 19, 2024

SGA 9381 ANNA M. FRANKLIN, appointed on July 19, 2023, for the term ending June 30, 2026, as Member of the Washington State Women's Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Hasegawa.

Referred to Committee on Rules for second reading.

January 19, 2024

SGA 9433 ANDREA CARRILLO, appointed on December 11, 2023, for the term ending June 30, 2026, as Member of the Washington State Women's Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Hasegawa.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

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

INTRODUCTION AND FIRST READING

SB 6284 by Senator Braun

AN ACT Relating to increasing the consistency and transparency of impact fees; amending RCW 82.02.050, 82.02.070, 43.31.980, 36.70A.070, and 64.06.070; and adding a new section to chapter 64.06 RCW.

Referred to Committee on Ways & Means.

SB 6285 by Senator Braun

AN ACT Relating to ensuring the timely and balanced use of impact fees; and amending RCW 82.02.050, 82.02.070, and 82.02.080.

Referred to Committee on Ways & Means.

SB 6286 by Senators Rivers and Cleveland

AN ACT Relating to addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 6287 by Senators Gildon and Stanford

AN ACT Relating to the prohibition of unethical conduct by persons advising or assisting with veterans benefits matters; adding a new chapter to Title 73 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 6288 by Senator Lovick

AN ACT Relating to requiring headlight use on motor vehicles at all times; amending RCW 46.37.020; and repealing RCW 47.04.180.

Referred to Committee on Transportation.

SB 6289 by Senator Boehnke

AN ACT Relating to establishing a work group to assess the restrictions on the employment of 16 and 17 year olds; and creating new sections.

Referred to Committee on Labor & Commerce.

SB 6290 by Senator Wagoner

AN ACT Relating to ownership of agricultural real estate; and amending RCW 64.16.005.

Referred to Committee on Law & Justice.

SB 6291 by Senators Wilson, L. and Lovick

AN ACT Relating to streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code; amending RCW 19.27.031, 19.27.070, 19.27.074, 19.27A.025, 19.27A.045, and 19.27.015; and adding new sections to chapter 19.27 RCW.

Referred to Committee on State Government & Elections.

SB 6292 by Senators Trudeau and Salomon

AN ACT Relating to establishing Eid al-Fitr and Hannukah as state holidays; and reenacting and amending RCW 1.16.050.

Referred to Committee on State Government & Elections.

SB 6293 by Senators Trudeau and Nobles

AN ACT Relating to the use of deception by law enforcement officers during custodial interrogations; and adding a new chapter to Title 10 RCW.

Referred to Committee on Law & Justice.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1121 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Goodman, Leavitt, Reeves, Lekanoff and Wylie; by request of Uniform Law Commission)

AN ACT Relating to the uniform child abduction prevention act; and adding a new chapter to Title 26 RCW.

Referred to Committee on Law & Justice.

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

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

Referred to Committee on State Government & Elections.

HB 1726 by Representatives Bronoske, Robertson, Griffey, Rule, Leavitt, Schmidt, Chapman, Ryu, Reeves, Graham, Ormsby, Paul and Reed; by request of Washington State Patrol

AN ACT Relating to the director of fire protection's administration and reimbursement of fire service-related training programs; and amending RCW 43.43.934.

Referred to Committee on State Government & Elections.

SHB 1818 by House Committee on Finance (originally sponsored by Representatives Tharinger and Chapman)

AN ACT Relating to exclusion of compensating tax when land is sold to a governmental entity intending to manage the land similarly to designated forestland or timberland; amending RCW 84.33.140 and 84.34.108; and creating a new section.

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

FIFTEENTH DAY, JANUARY 22, 2024

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

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

Senator Torres moved adoption of the following resolution:

SENATE RESOLUTION

8658

By Senator Torres

WHEREAS, Human trafficking is a heinous crime that harms millions of men, women, and children worldwide including their family and friends; and

WHEREAS, It is an egregious violation of human rights and a modern form of slavery that impacts countless individuals worldwide through forced labor, fraud, physical harm, and sexual exploitation; and

WHEREAS, President Barack Obama declared January to be National Slavery and Human Trafficking Prevention Month in 2010 to show the nation's commitment to fighting and protecting victims against human trafficking domestically and internationally; and

WHEREAS, Including efforts to educate the public by raising awareness on how society can help aid in hindering human trafficking and the sexual exploitation of minors; and

WHEREAS, Human trafficking is the fastest-growing criminal industry in the world today, according to the United States Department of Justice, which estimates that between 14,000 and 17,000 people are trafficked into the country each year; and

WHEREAS, In Washington, each year over two hundred cases involving human trafficking were recorded, according to the National Human Trafficking Hotline; and

WHEREAS, Washington is currently ranked eleventh among the states for human trafficking with a national average of one hundred sixty-nine trafficking cases; and

WHEREAS, In 2003, Washington was the first state to pass a law criminalizing human trafficking, making it a felony to recruit, harbor, transport, or obtain any person for labor or other services using force or fraud; and

WHEREAS, Later in 2008 as a response to the lack of these crimes being recognized, the Attorney General's Office issued a roundtable of legislative, law enforcement, and social service leaders experienced in the issue to find viable approaches to better addressing this serious issue; and

WHEREAS, Washington's international border with Canada makes it a major hotspot for trafficking, with sources estimating that the border contributes about fifteen hundred to two thousand victims annually; and

WHEREAS, Major seaports and airports, as well as rural areas and cross-state highways, are contributing factors associated with increased risk of trafficking; and

WHEREAS, The Port of Seattle commissioners and specific airlines signed a pledge to help prevent human trafficking by educating their employees and training them on what to look for regarding the traffickers and their victims; and

WHEREAS, Trafficking has been a major problem in cities such as Seattle, the Yakima Valley, and the Tri-Cities; and

WHEREAS, January has been designated nationally as a time to create awareness of issues related to human trafficking and use

education to help prevent these crimes and address the needs of victims;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the importance of education regarding and awareness of the issue of human trafficking and the state and federal resources available to support victims.

Senators Torres, Warnick, Boehnke, McCune, Wilson, J. and Dozier spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8658.

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

MOTION

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, January 23, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, January 23, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Labor & Commerce was granted special leave to continue to meet during the day's floor session.

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 22, 2024

SB 6109 Prime Sponsor, Senator Wilson, C.: Supporting children and families. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6109 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Ways & Means.

January 22, 2024

SB 6126 Prime Sponsor, Senator Kauffman: Increasing access to respite care for those with intellectual or developmental disabilities and their caregivers. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6126 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6126 which had been

designated to the Committee on Rules and was referred to the Committee on Ways & Means.

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

**MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS**

January 19, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

KAZIPUTALIMBA JOSHUA, reappointed January 19, 2024, for the term ending September 25, 2027, as Member of the Clemency and Pardons Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9446.

January 19, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

TATHAGATA PAL, appointed January 19, 2024, for the term ending June 30, 2025, as Member of the Washington Student Achievement Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9447.

MOTION

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

MESSAGE FROM THE SECRETARY OF STATE

**CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
I-2109**

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434- 379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2109 to be examined in the following manner:

1. It was determined that 436,474 signatures were submitted by the sponsors of the initiative. A random sample of 13,095 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,752 valid signatures, 2,324 signatures that were invalid and 19 pairs of duplicated

SIXTEENTH DAY, JANUARY 23, 2024

signatures in the sample;

- 3. We calculated an allowance for the chance error of sampling (72) by multiplying the square root of the number of invalid signatures by 1.5;
- 4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (79,872) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
- 5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (32,086) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
- 6. We determined the expected number of duplicate pairs of signatures in the sample (29) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
- 7. We determined the acceptable number of duplicate pairs of signatures in the sample (20) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
- 8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2109 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 23rd day of January, 2024.

/s/

Steve Hobbs
Secretary of State

[seal]

Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
Administration Division
PO Box 40100 • Olympia, WA 98504-0100 • (360) 753-6200

May 30, 2023

The Honorable Steve Hobbs
Elections Division
ATTN: Initiative and Referendum
PO Box 40220
Olympia, WA 98504-0220

Re: Initiative No. 2109

Dear Secretary Hobbs:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2109 to the Legislature (an act relating repealing the tax on capital gains income authorized in chapter 82.87 RCW).

BALLOT TITLE

Statement of Subject: Initiative Measure No. 2109 concerns taxes.

Concise Description: This measure would repeal an excise tax imposed on the sale or exchange of certain long-term capital assets by individuals who have annual capital gains of over \$250,000.

Should this measure be enacted into law? Yes [] No []

BALLOT MEASURE SUMMARY

This measure would repeal an excise tax imposed on the sale or exchange of certain long-term capital assets by individuals who have annual capital gains of over \$250,000.

Sincerely,

/s/

JEFFREY T. EVEN
Deputy Solicitor General

Initiative Measure No. 2109
Filed May 17, 2023

AN ACT Relating to repealing the tax on capital gains income authorized in chapter 82.87 RCW; repealing RCW 82.87.010, 82.87.020, 82.87.030, 82.87.040, 82.87.050, 82.87.060, 82.87.070, 82.87.080, 82.87.090, 82.87.100, 82.87.110, 82.87.120, 82.87.130, 82.87.140, 82.87.150, and 82.04.4497; and repealing 2021 c 196 ss 18 and 20 (uncodified) .

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION, Sec. 1. The following acts or parts of acts are each repealed:

- (1) RCW 82.87.010 (Findings-Intent-2021 c 196) and 2021 c 196 s 1;
- (2) RCW 82.87.020 (Definitions) and 2021 c 196 s 4;
- (3) RCW 82.87.030 (Distribution of revenues) and 2021 c 196 s 2;
- (4) RCW 82.87.040 (Tax imposed-Long-term capital assets) and 2021 c 196 s 5;
- (5) RCW 82.87.050 (Exemptions) and 2021 c 196 s 6;
- (6) RCW 82.87.060 (Deductions) and 2021 c 196 s 7;
- (7) RCW 82.87.070 (Qualified family-owned small business deduction) and 2021 c 196 s 8;
- (8) RCW 82.87.080 (Charitable donation deduction) and 2021 c 196 s 9;
- (9) RCW 82.87.090 (Other taxes) and 2021 c 196 s 10;
- (10) RCW 82.87.100 (Allocation of long-term capital gains and losses-Credit) and 2021 c 196 s 11;
- (11) RCW 82.87.110 (Filing of returns-Additional documentation- Penalty) and 2021 c 196 s 12;
- (12) RCW 82.87.120 (Joint filers-Separate filers-Tax liability) and 2021 c 196 s 13;
- (13) RCW 82.87.130 (Administration of taxes) and 2021 c 196 s 14;
- (14) RCW 82.87.140 (Tax criminal penalties) and 2021 c 196 s 15;
- (15) RCW 82.87.150 (Annual adjustments) and 2021 c 196 s 17;
- (16) RCW 82.04.4497 (Credit-Sale or exchange of long-term capital assets) and 2021 c 196 s 16;
- (17) 2021 c 196 s 18 (uncodified); and
- (18) 2021 c 196 s 20 (uncodified).

MOTION

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

MESSAGE FROM THE HOUSE

January 22, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1054,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589, and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6294 by Senator Stanford

AN ACT Relating to the unlawful trade of fur products; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

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

SB 6295 by Senator Dhingra

AN ACT Relating to creating a path to recovery for high users of behavioral health crisis and criminal justice systems; adding new sections to chapter 10.77 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6296 by Senator Boehnke

AN ACT Relating to establishing a retail industry work group; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 6297 by Senator Gildon

AN ACT Relating to recognizing a court's authority to authorize a defendant's direct transfer from jail to inpatient or residential substance use disorder treatment; and adding a new section to chapter 10.21 RCW.

Referred to Committee on Law & Justice.

SB 6298 by Senators Frame and Kauffman

AN ACT Relating to the duty of the clergy to report child abuse or neglect; and amending RCW 26.44.020 and 26.44.030.

Referred to Committee on Human Services.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1054 by Representatives Walen, Simmons, Ryu, Bateman, Ramel, Doglio, Macri, Gregerson, Springer, Thai, Kloba and Donaghy

AN ACT Relating to the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

Referred to Committee on Law & Justice.

ESHB 1589 by House Committee on Environment & Energy (originally sponsored by Representatives Doglio, Fitzgibbon, Berry, Alvarado, Bateman, Ramel, Peterson, Lekanoff, Hackney, Macri and Kloba)

AN ACT Relating to supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future; amending RCW 80.28.010; adding a new chapter to Title 80 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 6294 which had been designated to the Committee on Agriculture, Water, Natural Resources & Parks and was referred to the Committee on Business, Financial Services, Gaming & Trade and Senate Bill No. 6295 which had been designated to the Committee on Law & Justice and was referred to the Committee on Health & Long-Term Care.

On motion of Senator Pedersen and without objection, Senate Bill No. 5788, which had been on the day's Consent Calendar, was placed on the day's Second Reading Calendar.

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

Senator Lovick moved adoption of the following resolution:

SENATE RESOLUTION
8659

By Senator Lovick

WHEREAS, Snohomish County Sheriff Sergeant David Sorenson has provided 43 years of dedicated service to Snohomish County as a Reserve Officer for the Mountlake Terrace Police Department and as a Deputy for the Snohomish County Sheriff's Office; and

WHEREAS, Sergeant Sorenson founded the nonprofit Keep N Safe to help first responders and their family members cope with posttraumatic stress disorder and to reduce gun violence; and

WHEREAS, First responders, including police, firefighters, paramedics, emergency medical technicians, dispatchers, and corrections officers, frequently suffer from posttraumatic stress disorder and other mental health conditions because of their repeated exposures to tragedies in our communities; and

WHEREAS, Sergeant Sorenson had the kindness and bravery to recognize the importance of first responders' mental health and to create resources to help; and

WHEREAS, The resources provided by Sergeant Sorenson and Keep N Safe help first responders cope with the grievous difficulties of their work and can prevent career-ending mental health struggles or suicide;

SIXTEENTH DAY, JANUARY 23, 2024

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and salute Sergeant Sorenson for both his career in Snohomish County law enforcement and his work in protecting first responders' mental health; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Sergeant Sorenson.

Senator Lovick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8659.

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

MOTION

At 12:39 p.m., on motion of Senator Pedersen, the Senate adjourned until 1:30 p.m. Wednesday, January 24, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SEVENTEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Wednesday, January 24, 2024

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Washington State National Guard Color Guard, composed of Master Sergeant Jacob Dille; Sergeant First Class Alex Lacayo; Staff Sergeant Gabriel Gomez; and Airman First Class Andrew Tillotson, presented the Colors.

The President of the Senate, Lt. Governor Denny Heck, led the Senate in the Pledge of Allegiance.

The National Anthem was performed by Sergeant Tricia Scheer, vocalist with the 133rd Army National Guard Band.

Senator Chris Gildon of the 25th Legislative District offered the prayer.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 23, 2024

SB 5494 Prime Sponsor, Senator Wilson, J.: Providing incentives to improve freight railroad infrastructure. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5494 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frame, Vice Chair and Hasegawa.

Referred to Committee on Ways & Means.

January 22, 2024

SB 5793 Prime Sponsor, Senator Saldaña: Concerning paid sick leave. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5793 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5798 Prime Sponsor, Senator Kuderer: Extending certain insurance notice requirements. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5798 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5806 Prime Sponsor, Senator Kuderer: Concerning the confidentiality of insurance company data. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5806 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5810 Prime Sponsor, Senator Saldaña: Clarifying the collective bargaining unit for interpreters providing language access services to certain state agencies. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5810 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen; Schoesler and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

Referred to Committee on Ways & Means.

January 23, 2024

SB 5821 Prime Sponsor, Senator Muzzall: Establishing a uniform standard for creating an established relationship for the purposes of coverage of audio-only telemedicine services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5881 Prime Sponsor, Senator MacEwen: Concerning membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government. Reported by Committee on Ways & Means

SEVENTEENTH DAY, JANUARY 24, 2024

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5895 Prime Sponsor, Senator Nobles: Concerning collective bargaining for certain employees who are enrolled in academic programs at public institutions of higher education. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Braun; MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Ways & Means.

January 23, 2024

SB 5924 Prime Sponsor, Senator Kuderer: Concerning access to personnel records. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5924 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5935 Prime Sponsor, Senator Stanford: Concerning noncompetition covenants. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5935 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Braun; MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5943 Prime Sponsor, Senator Gildon: Developing a resource data tool to connect Washington residents to services and resources. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5943 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 22, 2024

SB 5952 Prime Sponsor, Senator Schoesler: Aligning deputy inspector credentials with national standards. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5960 Prime Sponsor, Senator Frame: Concerning prescription labels for medications used for abortion. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5983 Prime Sponsor, Senator Liias: Allowing medical assistants with telehealth supervision to provide intramuscular injections for syphilis treatment. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5983 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 5995 Prime Sponsor, Senator Saldaña: Creating a professional license for spoken language interpreters and translators. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5995 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

January 23, 2024

January 22, 2024
SB 6028 Prime Sponsor, Senator Braun: Relieving individuals from paying interest on certain unemployment insurance overpayment assessments. Reported by Committee on Labor & Commerce

SB 6151 Prime Sponsor, Senator Randall: Concerning the provision of an ultrasound. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member and Padden.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Holy.

January 23, 2024

SB 6060 Prime Sponsor, Senator Nguyen: Concerning the acceptance of electronic signatures by the public employment relations commission for new organizing petitions. Reported by Committee on Labor & Commerce

Referred to Committee on Rules for second reading.

January 22, 2024

MAJORITY recommendation: That Substitute Senate Bill No. 6060 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

SB 6166 Prime Sponsor, Senator Saldaña: Extending the pesticide application safety committee. Reported by Committee on Labor & Commerce

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

January 23, 2024

January 22, 2024
SB 6089 Prime Sponsor, Senator King: Eliminating certain minimum requirement equivalencies for electrical inspectors. Reported by Committee on Labor & Commerce

SB 6168 Prime Sponsor, Senator Stanford: Renewing Washington's international leadership. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

MAJORITY recommendation: That Substitute Senate Bill No. 6168 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

January 23, 2024

SB 6094 Prime Sponsor, Senator Robinson: Aligning statutory language concerning the retired state employee and retired or disabled school employee health insurance subsidy with the historical interpretation and implementation of the relevant subsidy language in the operating budget. Reported by Committee on Ways & Means

January 23, 2024

SB 6178 Prime Sponsor, Senator Randall: Aligning the legend drug act to reflect the prescriptive authority for licensed midwives. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

January 23, 2024

SEVENTEENTH DAY, JANUARY 24, 2024

SB 6201 Prime Sponsor, Senator King: Establishing civil penalties for the unlawful sale or supply of alcohol to minors. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 22, 2024

SB 6272 Prime Sponsor, Senator Mullet: Dedicating the state share of cannabis excise tax revenue to counties and cities. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5924 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

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

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

January 22, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ANDREW J. DRENNEN, reappointed January 22, 2024, for the term ending December 26, 2027, as Member of the Board of Pilotage Commissioners.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9448.

MOTION

On motion of Senator Pedersen, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE I-2111

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2111 to be examined in the following manner:

1. It was determined that 448,158 signatures were submitted by the sponsors of the initiative. A random sample of 13,445 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,868 valid signatures, 2,566 signatures that were invalid and 11 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling (76) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (88,064) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (35,578) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (32) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (23) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2111 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 24th day of January, 2024.

/s/ Steve R Hobbs
Steve Hobbs
Secretary of State

Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
Administration Division
PO Box 40100 • Olympia, WA 98504-0100 • (360) 753-6200

June 2, 2023

The Honorable Steve Hobbs
Elections Division
ATTN: Initiative and Referendum
POBox40220
Olympia, WA 98504-0220

Re: Initiative No. 2111

Dear Secretary Hobbs:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2111 to the Legislature (an act relating to any type of income tax).

BALLOT TITLE

Statement of Subject: Initiative Measure No. 2111 concerns taxes.

Concise Description: This measure would prohibit the state, counties, cities, and other local jurisdictions from imposing or collecting income taxes, defined as having the same meaning as "gross income" in the Internal Revenue Code.

Should this measure be enacted into law? Yes [] No []

BALLOT MEASURE SUMMARY

This measure would prohibit the state, counties, cities, and other local jurisdictions from imposing or collecting income taxes, defined as having the same meaning as "gross income" in the Internal Revenue Code.

Sincerely,
s/Jeffrey T Even
 JEFFREY T. EVEN
 Deputy Solicitor General

Initiative Measure No. 2111
 Filed May 19, 2023

AN ACT Relating to establishing that neither the state nor any of its political subdivisions may charge any individual person a tax based on personal income; and adding a new chapter to Title 1 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION, Sec. 1. Neither the state nor any county, city, or other local jurisdiction in the state of Washington may tax any individual person on any form of personal income. For the purposes of this chapter, "income" has the same meaning as "gross income" in 26 U.S.C. Sec. 61.

NEW SECTION, Sec. 2. Section 1 of this act constitutes a new chapter in Title 1 RCW.

MOTION

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

INTRODUCTION AND FIRST READING

SI 2109 by People of the State of Washington
 Regulating permanent cosmetics.

Referred to Committee on Ways & Means.

SB 6299 by Senators Stanford and Keiser
 AN ACT Relating to protecting employee rights in the workplace with regards to the use of digital technology; and adding a new section to chapter 49.44 RCW.

Referred to Committee on Labor & Commerce.

SB 6300 by Senators Randall and Nobles; by request of Student Achievement Council

AN ACT Relating to permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant; and amending RCW 28B.92.200 and 28B.92.225.

Referred to Committee on Higher Education & Workforce Development.

SB 6301 by Senators Lovick and Dhingra

AN ACT Relating to basic law enforcement academy; and amending RCW 43.101.190.

Referred to Committee on Ways & Means.

SB 6302 by Senators Liias and King

AN ACT Relating to creating a Washington state supply chain competitiveness infrastructure program; reenacting and amending RCW 43.79A.040, 43.79A.040, and 43.79A.040; adding new sections to chapter 43.31 RCW; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Transportation.

SB 6303 by Senator Nguyen

AN ACT Relating to providing tax incentives to encourage energy storage system and component parts manufacturing in Washington; amending RCW 82.89.010; amending 2022 c 185 s 11 (uncodified); adding new sections to chapter 82.04 RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

SJM 8010 by Senators Liias and Boehnke

Affirming Washington's support and commitment to the extension of the affordable connectivity program.

Referred to Committee on Environment, Energy & Technology.

SJR 8210 by Senator Mullet

Amending the Constitution to create a term limit for the office of the governor.

Referred to Committee on State Government & Elections.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6302 which had been designated to the Committee on Business, Financial Services, Gaming & Trade and was referred to the Committee on Transportation.

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

Senator Randall moved adoption of the following resolution:

SENATE RESOLUTION
 8661

SEVENTEENTH DAY, JANUARY 24, 2024

By Senators Randall, Conway, Kuderer, Stanford, and Wagoner

WHEREAS, More than 8,000 men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, volunteer their time and put personal lives aside when the needs of the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts such as natural disasters to protect lives, essential infrastructure, and property; and

WHEREAS, For more than 18 months, 1,200 service members from the Washington National Guard supported state agencies, local jurisdictions, tribes, and nonprofit organizations in responding to the COVID-19 pandemic in order to save lives and relieve human suffering; and

WHEREAS, In 2022, the Guard deployed to Lewis county to provide support to the communities dealing with rising waters, and just a week later deployed to Leavenworth to assist digging out the small mountain community that was hit with record snow fall; and

WHEREAS, The Guard continues to train for adaptation, capability, and capacity to react to the rising challenges in a rapidly changing world that pose a threat to United States national security at home and abroad, including cyber threats; and

WHEREAS, Washington National Guard soldiers and airmen and airwomen continue to provide critical support for federal missions with members deployed to Jordan, Poland, Germany, the Kingdom of Thailand, and Malaysia; and

WHEREAS, The Guard continues to improve the lives of Washington's young adults, many on the brink of dropping out of school, through its Washington Youth Challenge Academy; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for community and youth activities, and uses these facilities to enhance education, add to quality of life, and increase economic vitality;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen and airwomen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the Senate recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the Readiness Centers and Armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Adjutant General of the Washington National Guard, the Governor of the state of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Senator Randall spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8661.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Major General Bret Daugherty, Adjutant General of the Washington State National Guard, who was seated at the rostrum and members and representatives of the Washington State National Guard present in the gallery.

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Valdez moved that Robert L. Nellams, Senate Gubernatorial Appointment No. 9162, be confirmed as a member of the Central Washington University Board of Trustees.

Senator Valdez spoke in favor of the motion.

APPOINTMENT OF ROBERT L. NELLAMS

The President declared the question before the Senate to be the confirmation of Robert L. Nellams, Senate Gubernatorial Appointment No. 9162, as a member of the Central Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Robert L. Nellams, Senate Gubernatorial Appointment No. 9162, as a member of the Central Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Robert L. Nellams, Senate Gubernatorial Appointment No. 9162, having received the constitutional majority was declared confirmed as a member of the Central Washington University Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Tong Zhu, Senate Gubernatorial Appointment No. 9236, be confirmed as a member of the Clover Park Technical College Board of Trustees.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF TONG ZHU

The President declared the question before the Senate to be the confirmation of Tong Zhu, Senate Gubernatorial Appointment No. 9236, as a member of the Clover Park Technical College Board of Trustees.

The Secretary called the roll on the confirmation of Tong Zhu, Senate Gubernatorial Appointment No. 9236, as a member of the Clover Park Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Tong Zhu, Senate Gubernatorial Appointment No. 9236, having received the constitutional majority was declared confirmed as a member of the Clover Park Technical College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that Pradnya Desh, Senate Gubernatorial Appointment No. 9242, be confirmed as a member of the Bellevue College Board of Trustees.

Senator Kuderer spoke in favor of the motion.

APPOINTMENT OF PRADNYA DESH

The President declared the question before the Senate to be the confirmation of Pradnya Desh, Senate Gubernatorial Appointment No. 9242, as a member of the Bellevue College Board of Trustees.

The Secretary called the roll on the confirmation of Pradnya Desh, Senate Gubernatorial Appointment No. 9242, as a member of the Bellevue College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Pradnya Desh, Senate Gubernatorial Appointment No. 9242, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Mullet moved that Robert T. Mitchell, Senate Gubernatorial Appointment No. 9306, be confirmed as a member of the Workforce Training and Education Coordinating Board.

Senator Mullet spoke in favor of the motion.

APPOINTMENT OF ROBERT T. MITCHELL

The President declared the question before the Senate to be the confirmation of Robert T. Mitchell, Senate Gubernatorial Appointment No. 9306, as a member of the Workforce Training and Education Coordinating Board.

The Secretary called the roll on the confirmation of Robert T. Mitchell, Senate Gubernatorial Appointment No. 9306, as a member of the Workforce Training and Education Coordinating Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Robert T. Mitchell, Senate Gubernatorial Appointment No. 9306, having received the constitutional majority was declared confirmed as a member of the Workforce Training and Education Coordinating Board.

MOTION

At 2:04 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 2:42 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

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

SECOND READING

SENATE BILL NO. 5508, by Senators Short, Shewmake, Warnick, Wilson, J., and Wilson, L.

Promoting local agriculture through greenhouses.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5508 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5508.

ROLL CALL

SEVENTEENTH DAY, JANUARY 24, 2024

The Secretary called the roll on the final passage of Senate Bill No. 5508 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Wellman

SENATE BILL NO. 5508, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5787, by Senators Pedersen, Padden, Mullet, Nobles, and Salomon

Enacting the uniform electronic estate planning documents act.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5787 was substituted for Senate Bill No. 5787 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5787 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5787.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5787 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5787, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5271, by Senators Cleveland, Robinson, Kuderer, Nobles, Wellman, and Wilson, C.

Protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5271 was substituted for Senate Bill No. 5271 and the substitute bill was placed on the second reading and read the second time.

Senator Cleveland moved that the following striking amendment no. 485 by Senator Cleveland be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.46.010 and 2000 c 93 s 30 are each amended to read as follows:

(1) "Birthing center" or "childbirth center" means any health facility, not part of a hospital or in a hospital, that provides facilities and staff to support a birth service to low-risk maternity clients: PROVIDED, HOWEVER, That this chapter shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association, or its successor.

(2) "Department" means the state department of health.

(3) "Immediate jeopardy" means a situation in which the birthing center's noncompliance with one or more statutory or regulatory requirements has placed the health and safety of patients in its care at risk for serious injury, serious harm, serious impairment, or death.

(4) "Low-risk" means normal, uncomplicated prenatal course as determined by adequate prenatal care and prospects for a normal uncomplicated birth as defined by reasonable and generally accepted criteria of maternal and fetal health.

((4)) (5) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

Sec. 2. RCW 18.46.050 and 1997 c 58 s 823 are each amended to read as follows:

(1) ~~((The department may deny, suspend, or revoke a license in any case in which it finds that there has been failure or refusal to comply with the requirements established under this chapter or the rules adopted under it.~~

~~(2) The department shall immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order or a residential or visitation order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license shall be automatic upon the department's receipt of a release issued by the department of social and health services stating that the person is in compliance with the order.~~

RCW 43.70.115 governs notice of a license denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding but shall not apply to actions taken under subsection (2) of this section.) In any case in which the department finds that a birthing center has failed or refused to comply with the requirements of this chapter, the standards or rules adopted under this chapter, or other applicable state or federal statutes or rules regulating birthing centers, the department may take one or more of the actions identified in this section, except as otherwise limited in this section.

(a) When the department determines the birthing center has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the birthing center failed to correct noncompliance with a statute or rule by a date established or agreed to by the department, the department may impose reasonable conditions on a license. Conditions may include correction within a specified

amount of time, training, or hiring a department-approved consultant if the birthing center cannot demonstrate to the department that it has access to sufficient internal expertise. If the department determines that the violations constitute immediate jeopardy, the conditions may be imposed immediately in accordance with subsection (2) of this section.

(b) In accordance with the authority the department has under RCW 43.70.095, the department may assess a civil fine of up to \$3,000 per violation on a birthing center licensed under this chapter when the department determines the birthing center has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the birthing center failed to correct noncompliance with a statute or rule by a date established or agreed to by the department.

(i) Proceeds from these fines may only be used by the department to offset costs associated with licensing and enforcement of birthing centers.

(ii) The department shall adopt in rules under this chapter specific fine amounts in relation to the severity of the noncompliance and at an adequate level to be a deterrent to future noncompliance.

(iii) If a birthing center is aggrieved by the department's action of assessing civil fines, the licensee has the right to appeal under RCW 43.70.095.

(c) The department may suspend a specific category or categories of services or care or birthing rooms within the birthing center as related to the violation by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop service, the department shall provide a birthing center written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The birthing center shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop service.

(ii) When the department imposes a limited stop service, the birthing center may not provide the services in the category or categories subject to the limited stop service to any new or existing patients, unless otherwise allowed by the department, until the limited stop service is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the birthing center if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(iv) The limited stop service shall be terminated when:

(A) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the birthing center has taken intermediate action to address the immediate jeopardy; and

(B) The birthing center establishes the ability to maintain correction of the violation previously found deficient.

(d) The department may suspend new admissions to the birthing center by imposing a stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of patients or a specific area of the birthing center.

(i) Prior to imposing a stop placement, the department shall provide a birthing center written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The birthing center shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the stop placement.

(ii) When the department imposes a stop placement, the birthing center may not admit any new patients until the stop placement is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the birthing center if more than five business days is needed to verify the violation necessitating the stop placement has been corrected.

(iv) The stop placement shall be terminated when:

(A) The department verifies the violation necessitating the stop placement has been corrected or the department determines that the birthing center has taken intermediate action to address the immediate jeopardy; and

(B) The birthing center establishes the ability to maintain correction of the violation previously found deficient.

(e) The department may deny an application for a license or suspend, revoke, or refuse to renew a license.

(2) Except as otherwise provided, RCW 43.70.115 governs notice of actions taken by the department under subsection (1) of this section and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, include a copy of the department's notice, be served on and received by the department within 28 days of the birthing center's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(3) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop service, stop placement, or the suspension of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(a) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate suspension or imposition of conditions.

(c) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

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(d) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

(4) When the department determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the department's investigation of such an alleged violation, the department may impose an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension.

(a) When the department imposes an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate. At the show cause hearing the department has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate action for failure to cooperate.

(c) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that the licensee cooperated with the department's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(d) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

NEW SECTION. Sec. 3. A new section is added to chapter 18.46 RCW to read as follows:

(1) The department may give written notice to cease and desist to any person whom the department has reason to believe is engaged in the unlicensed operation of a birthing center.

(2)(a) Except as otherwise provided in this section, the requirement to cease and desist unlicensed operation is effective 20 days after the person receives the notice.

(b) The department may make the date the action is effective sooner than 20 days after receipt when necessary to protect the public health, safety, or welfare. When the department does so, it shall state the effective date and the reasons supporting the effective date in the written notice to cease and desist.

(3) The person to whom the notice to cease and desist is issued may request an adjudicative proceeding to contest the notice. The adjudicative proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request for an adjudicative proceeding must be in writing, state the basis for contesting the notice, include a copy of the notice, and be served on and received by the department within 20 days from the date the person receives the notice to cease and desist.

(4)(a) If the department gives a person 20 days' notice to cease and desist and the person requests an adjudicative proceeding before its effective date, the department shall not implement the notice until the final order has been entered. The presiding or reviewing officer may permit the department to implement part or all of the notice while the proceedings are pending if the respondent causes an unreasonable delay in the proceeding, if the circumstances change so that implementation is in the public interest, or for other good cause.

(b) If the department gives a licensee less than 20 days' notice to cease and desist and the respondent timely files a request for an adjudicative proceeding, the department may implement the cease and desist on the effective date stated in the notice. The presiding or reviewing officer may order the department to stay implementation of part or all of the adverse action while the proceedings are pending if staying implementation is in the public interest or for other good cause.

(5) The department may assess a civil fine not exceeding \$5,000 for each day a person operates a birthing center without a valid license.

(a) The department shall give written notice to the person against whom it assesses a civil fine.

(b) Except as otherwise provided in (c) and (d) of this subsection, the civil fine is due and payable 20 days after receipt.

(c) The person against whom the department assesses a civil fine has the right to request an adjudicative proceeding. The proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request must be in writing, state the basis for contesting the fine, include a copy of the notice, be served on and received by the department within 20 days of the person receiving the notice of civil fine, and be served in a manner which shows proof of receipt.

(d) If the person files a timely and sufficient request for adjudicative proceeding, the department shall not implement the fine until the final order has been served.

(6) Neither the issuance of a cease and desist order nor payment of a civil fine shall relieve the person so operating a birthing center without a license from criminal prosecution, but the remedy of a cease and desist order or civil fine shall be in addition to any criminal liability. A final notice to cease and desist is conclusive proof of unlicensed operation and may be enforced under RCW 7.21.060. This method of enforcement of the final notice to cease and desist or civil fine may be used in addition to, or as an alternative to, any provisions for enforcement of agency orders set out in chapter 34.05 RCW.

Sec. 4. RCW 18.46.130 and 2000 c 93 s 39 are each amended to read as follows:

(1) Notwithstanding the existence or use of any other remedy, the department may in the manner provided by law, upon the advice of the attorney general who shall represent the department in all proceedings, maintain an action in the name of the state for an injunction or other process against any person to restrain or prevent the advertisement, operation ((~~or~~)), maintenance, management, or opening of a birthing center not licensed under this chapter.

(2) The injunction shall not relieve the person operating a birth center without a license from criminal prosecution, or the

imposition of a civil fine under section 3 of this act, but the remedy by injunction shall be in addition to any criminal liability or civil fine. A person that violates an injunction issued under this chapter shall pay a civil penalty, as determined by the court, of not more than \$25,000, which shall be deposited in the department's local fee account. For the purpose of this section, the superior court issuing any injunction shall retain jurisdiction and the cause shall be continued, and in such cases the attorney general acting in the name of the state may petition for the recovery of civil penalties. All fines, forfeitures, and penalties collected or assessed by a court because of a violation of RCW 18.46.020 shall be deposited in the department's local fee account.

Sec. 5. RCW 70.42.010 and 1989 c 386 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of health ~~((if enacted, otherwise the department of social and health services))~~.

(2) "Designated test site supervisor" means the available individual who is responsible for the technical functions of the test site and who meets the department's qualifications set out in rule by the department.

(3) "Immediate jeopardy" means a situation in which the medical test site's noncompliance with one or more statutory or regulatory requirements has placed the health and safety of patients in its care at risk for serious injury, serious harm, serious impairment, or death.

(4) "Person" means any individual, or any public or private organization, agent, agency, corporation, firm, association, partnership, or business.

~~((4))~~ (5) "Proficiency testing program" means an external service approved by the department which provides samples to evaluate the accuracy, reliability and performance of the tests at each test site.

~~((5))~~ (6) "Quality assurance" means a comprehensive set of policies, procedures, and practices to assure that a test site's results are accurate and reliable. Quality assurance means a total program of internal and external quality control, equipment preventative maintenance, calibration, recordkeeping, and proficiency testing evaluation, including a written quality assurance plan.

~~((6))~~ (7) "Quality control" means internal written procedures and day-to-day analysis of laboratory reference materials at each test site to insure precision and accuracy of test methodology, equipment, and results.

~~((7))~~ (8) "Test" means any examination or procedure conducted on a sample taken from the human body, including screening.

~~((8))~~ (9) "Test site" means any facility or site, public or private, which analyzes materials derived from the human body for the purposes of health care, treatment, or screening. A test site does not mean a facility or site, including a residence, where a test approved for home use by the federal food and drug administration is used by an individual to test himself or herself without direct supervision or guidance by another and where this test is not part of a commercial transaction.

Sec. 6. RCW 70.42.130 and 1989 c 386 s 14 are each amended to read as follows:

Under this chapter, and chapter 34.05 RCW, the department may place conditions on a license which limit or cancel a test site's authority to conduct any of the tests or groups of tests of any licensee who:

(1) Fails or refuses to comply with the requirements of this chapter ~~((or))~~, the rules or standards adopted under this chapter,

or other applicable state or federal statutes or rules regulating medical test sites;

(2) Has knowingly or with reason to know made a false statement of a material fact in the application for a license or in any data attached thereto or in any record required by the department;

(3) Refuses to allow representatives of the department to examine any book, record, or file required by this chapter to be maintained;

(4) Willfully prevented, interfered with, or attempted to impede in any way the work of a representative of the department;

(5) Willfully prevented or interfered with preservation of evidence of a known violation of this chapter or the rules adopted under this chapter; or

(6) Misrepresented, or was fraudulent in, any aspect of the licensee's business.

NEW SECTION. Sec. 7. A new section is added to chapter 70.42 RCW to read as follows:

(1) The department may prohibit a specific category or categories of services within the medical test site as related to noncompliance with the requirements of this chapter or the standards or rules adopted under this chapter by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(2) Prior to imposing a limited stop service, the department shall provide the medical test site a written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The medical test site shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop service.

(3) When the department imposes a limited stop service, the medical test site may not perform any new testing in the category or categories subject to the limited stop service until the limited stop service is terminated.

(4) The department shall conduct a follow-up inspection within five business days or within the time period requested by the medical test site if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(5) The limited stop service shall be terminated when:

(a) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the medical test site has taken intermediate action to address the immediate jeopardy; and

(b) The medical test site establishes the ability to maintain correction of the violation previously found deficient.

(6) Except as otherwise provided, RCW 43.70.115 governs notice of actions taken by the department under subsection (1) of this section and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, include a copy of the department's notice, be served on and received by the department within 28 days of the medical test site's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(7) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop service, or the suspension of a license effective immediately

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upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(a) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate suspension or imposition of conditions.

(c) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

(d) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

(8) When the department determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the department's investigation of such an alleged violation, the department may impose an immediate limited stop service, immediate suspension, or immediate imposition of conditions.

(a) When the department imposes an immediate limited stop service, immediate suspension, or immediate imposition of conditions for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate limited stop service, immediate suspension, or immediate imposition of conditions for failure to cooperate. At the show cause hearing the department has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate limited stop service, immediate suspension, or immediate imposition of conditions for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate action for failure to cooperate.

(c) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that the licensee cooperated with the department's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(d) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

NEW SECTION. Sec. 8. A new section is added to chapter 70.42 RCW to read as follows:

(1) The department may give written notice to cease and desist to any person whom the department has reason to believe is engaged in the unlicensed operation of a medical test site.

(2)(a) Except as otherwise provided in this section, the requirement to cease and desist unlicensed operation is effective 20 days after the person receives the notice.

(b) The department may make the date the action is effective sooner than 20 days after receipt when necessary to protect the public health, safety, or welfare. When the department does so, it shall state the effective date and the reasons supporting the effective date in the written notice to cease and desist.

(3) The person to whom the notice to cease and desist is issued may request an adjudicative proceeding to contest the notice. The adjudicative proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request for an adjudicative proceeding must be in writing, state the basis for contesting the notice, include a copy of the notice, and be served on and received by the department within 20 days from the date the person receives the notice to cease and desist.

(4)(a) If the department gives a person 20 days' notice to cease and desist and the person requests an adjudicative proceeding before its effective date, the department shall not implement the notice until the final order has been entered. The presiding or reviewing officer may permit the department to implement part or all of the notice while the proceedings are pending if the respondent causes an unreasonable delay in the proceeding, if the circumstances change so that implementation is in the public interest, or for other good cause.

(b) If the department gives a licensee less than 20 days' notice to cease and desist and the respondent timely files a request for an adjudicative proceeding, the department may implement the cease and desist on the effective date stated in the notice. The presiding or reviewing officer may order the department to stay implementation of part or all of the adverse action while the proceedings are pending if staying implementation is in the public interest or for other good cause.

(5) The department may assess a civil fine not exceeding \$5,000 for each day a person operates a medical test site without a valid license.

(a) The department shall give written notice to the person against whom it assesses a civil fine.

(b) Except as otherwise provided in (c) and (d) of this subsection, the civil fine is due and payable 20 days after receipt.

(c) The person against whom the department assesses a civil fine has the right to request an adjudicative proceeding. The proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request must be in writing, state the basis for contesting the fine, include a copy of the notice, be served on and received by the department within 20 days of the person receiving the notice of civil fine, and be served in a manner which shows proof of receipt.

(d) If the person files a timely and sufficient request for adjudicative proceeding, the department shall not implement the fine until the final order has been served.

(6) Neither the issuance of a cease and desist order nor payment of a civil fine shall relieve the person so operating a medical test site without a license from criminal prosecution, but the remedy of a cease and desist order or civil fine shall be in addition to any criminal liability. A final notice to cease and desist is conclusive proof of unlicensed operation and may be enforced under RCW 7.21.060. This method of enforcement of the final notice to cease and desist or civil fine may be used in addition to, or as an alternative to, any provisions for enforcement of agency orders set out in chapter 34.05 RCW.

Sec. 9. RCW 70.42.180 and 1989 c 386 s 19 are each amended to read as follows:

(1) Notwithstanding the existence or use of any other remedy, the department may, in the manner provided by law and upon the advice of the attorney general, who shall represent the department in the proceedings, maintain an action in the name of the state for an injunction or other process against any person to restrain or prevent the advertising, operating, maintaining, managing, or opening of a test site without a license under this chapter. It is a misdemeanor to own, operate, or maintain a test site without a license.

(2) The injunction shall not relieve the person operating a medical test site without a license from criminal prosecution, or the imposition of a civil fine under section 8 of this act, but the remedy by injunction shall be in addition to any criminal liability or civil fine. A person that violates an injunction issued under this chapter shall pay a civil penalty, as determined by the court, of not more than \$25,000, which shall be deposited in the department's local fee account. For the purpose of this section, the superior court issuing any injunction shall retain jurisdiction and the cause shall be continued, and in such cases the attorney general acting in the name of the state may petition for the recovery of civil penalties. All fines, forfeitures, and penalties collected or assessed by a court because of a violation of RCW 70.42.020 shall be deposited in the department's local fee account.

Sec. 10. RCW 70.127.010 and 2011 c 89 s 13 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrator" means an individual responsible for managing the operation of an agency.

(2) "Department" means the department of health.

(3) "Director of clinical services" means an individual responsible for nursing, therapy, nutritional, social, and related services that support the plan of care provided by in-home health and hospice agencies.

(4) "Family" means individuals who are important to, and designated by, the patient or client and who need not be relatives.

(5) "Home care agency" means a person administering or providing home care services directly or through a contract arrangement to individuals in places of temporary or permanent residence. A home care agency that provides delegated tasks of nursing under RCW 18.79.260(3)(e) is not considered a home health agency for the purposes of this chapter.

(6) "Home care services" means nonmedical services and assistance provided to ill, disabled, or vulnerable individuals that enable them to remain in their residences. Home care services include, but are not limited to: Personal care such as assistance with dressing, feeding, and personal hygiene to facilitate self-care; homemaker assistance with household tasks, such as housekeeping, shopping, meal planning and preparation, and transportation; respite care assistance and support provided to the family; or other nonmedical services or delegated tasks of nursing under RCW 18.79.260(3)(e).

(7) "Home health agency" means a person administering or providing two or more home health services directly or through a contract arrangement to individuals in places of temporary or permanent residence. A person administering or providing nursing services only may elect to be designated a home health agency for purposes of licensure.

(8) "Home health services" means services provided to ill, disabled, or vulnerable individuals. These services include but are not limited to nursing services, home health aide services, physical therapy services, occupational therapy services, speech therapy services, respiratory therapy services, nutritional services, medical social services, and home medical supplies or equipment services.

(9) "Home health aide services" means services provided by a home health agency or a hospice agency under the supervision of a registered nurse, physical therapist, occupational therapist, or speech therapist who is employed by or under contract to a home health or hospice agency. Such care includes ambulation and exercise, assistance with self-administered medications, reporting changes in patients' conditions and needs, completing appropriate records, and personal care or homemaker services.

(10) "Home medical supplies" or "equipment services" means diagnostic, treatment, and monitoring equipment and supplies provided for the direct care of individuals within a plan of care.

(11) "Hospice agency" means a person administering or providing hospice services directly or through a contract arrangement to individuals in places of temporary or permanent residence under the direction of an interdisciplinary team composed of at least a nurse, social worker, physician, spiritual counselor, and a volunteer.

(12) "Hospice care center" means a homelike, noninstitutional facility where hospice services are provided, and that meets the requirements for operation under RCW 70.127.280.

(13) "Hospice services" means symptom and pain management provided to a terminally ill individual, and emotional, spiritual, and bereavement support for the individual and family in a place of temporary or permanent residence, and may include the provision of home health and home care services for the terminally ill individual.

(14) "Immediate jeopardy" means a situation in which the in-home services agency's noncompliance with one or more statutory or regulatory requirements has placed the health and safety of patients in its care at risk for serious injury, serious harm, serious impairment, or death.

(15) "In-home services agency" means a person licensed to administer or provide home health, home care, hospice services, or hospice care center services directly or through a contract arrangement to individuals in a place of temporary or permanent residence.

~~((45))~~ (16) "Person" means any individual, business, firm, partnership, corporation, company, association, joint stock association, public or private agency or organization, or the legal successor thereof that employs or contracts with two or more individuals.

~~((46))~~ (17) "Plan of care" means a written document based on assessment of individual needs that identifies services to meet these needs.

~~((47))~~ (18) "Quality improvement" means reviewing and evaluating appropriateness and effectiveness of services provided under this chapter.

~~((48))~~ (19) "Service area" means the geographic area in which the department has given prior approval to a licensee to provide home health, hospice, or home care services.

~~((49))~~ (20) "Social worker" means a person with a degree from a social work educational program accredited and approved

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as provided in RCW 18.320.010 or who meets qualifications provided in 42 C.F.R. Sec. 418.114 as it existed on January 1, 2012.

~~((20))~~ (21) "Survey" means an inspection conducted by the department to evaluate and monitor an agency's compliance with this chapter.

Sec. 11. RCW 70.127.170 and 2003 c 140 s 10 are each amended to read as follows:

~~(Pursuant to chapter 34.05 RCW and RCW 70.127.180(3), the department may deny, restrict, condition, modify, suspend, or revoke a license under this chapter or, in lieu thereof or in addition thereto, assess monetary penalties of a civil nature not to exceed one thousand dollars per violation, or require a refund of any amounts billed to, and collected from, the consumer or third party payor in any case in which it finds that the licensee, or any applicant, officer, director, partner, managing employee, or owner of ten percent or more of the applicant's or licensee's assets.) The department is authorized to take any of the actions identified in section 12 of this act against an in-home services agency's license in any case in which it finds that the licensee:~~

(1) Failed or refused to comply with the requirements of this chapter ~~(or the)~~ standards or rules adopted under this chapter, or other applicable state or federal statutes or rules regulating the facility or agency;

(2) Was the holder of a license issued pursuant to this chapter that was revoked for cause and never reissued by the department, or that was suspended for cause and the terms of the suspension have not been fulfilled and the licensee has continued to operate;

(3) Has knowingly or with reason to know made a misrepresentation of, false statement of, or failed to disclose, a material fact to the department in an application for the license or any data attached thereto or in any record required by this chapter or matter under investigation by the department, or during a survey, or concerning information requested by the department;

(4) Refused to allow representatives of the department to inspect any book, record, or file required by this chapter to be maintained or any portion of the licensee's premises;

(5) Willfully prevented, interfered with, or attempted to impede in any way the work of any representative of the department and the lawful enforcement of any provision of this chapter. This includes but is not limited to: Willful misrepresentation of facts during a survey, investigation, or administrative proceeding or any other legal action; or use of threats or harassment against any patient, client, or witness, or use of financial inducements to any patient, client, or witness to prevent or attempt to prevent him or her from providing evidence during a survey or investigation, in an administrative proceeding, or any other legal action involving the department;

(6) Willfully prevented or interfered with any representative of the department in the preservation of evidence of any violation of this chapter or the rules adopted under this chapter;

(7) Failed to pay any civil monetary penalty assessed by the department pursuant to this chapter within ~~((ten))~~ 10 days after the assessment becomes final;

(8) Used advertising that is false, fraudulent, or misleading;

(9) Has repeated incidents of personnel performing services beyond their authorized scope of practice;

(10) Misrepresented or was fraudulent in any aspect of the conduct of the licensee's business;

(11) Within the last five years, has been found in a civil or criminal proceeding to have committed any act that reasonably relates to the person's fitness to establish, maintain, or administer an agency or to provide care in the home of another;

(12) Was the holder of a license to provide care or treatment to ill individuals, ~~((disabled, or))~~ vulnerable individuals, or

individuals with disabilities that was denied, restricted, not renewed, surrendered, suspended, or revoked by a competent authority in any state, federal, or foreign jurisdiction. A certified copy of the order, stipulation, or agreement is conclusive evidence of the denial, restriction, nonrenewal, surrender, suspension, or revocation;

~~(13) ((Violated any state or federal statute, or administrative rule regulating the operation of the agency;~~

~~(14))~~ Failed to comply with an order issued by the secretary or designee;

~~((15))~~ (14) Aided or abetted the unlicensed operation of an in-home services agency;

~~((16))~~ (15) Operated beyond the scope of the in-home services agency license;

~~((17))~~ (16) Failed to adequately supervise staff to the extent that the health or safety of a patient or client was at risk;

~~((18))~~ (17) Compromised the health or safety of a patient or client, including, but not limited to, the individual performing services beyond their authorized scope of practice;

~~((19))~~ (18) Continued to operate after license revocation, suspension, or expiration, or operating outside the parameters of a modified, conditioned, or restricted license;

~~((20))~~ (19) Failed or refused to comply with chapter 70.02 RCW;

~~((21))~~ (20) Abused, neglected, abandoned, or financially exploited a patient or client as these terms are defined in RCW 74.34.020;

~~((22))~~ (21) Misappropriated the property of an individual;

~~((23))~~ (22) Is unqualified or unable to operate or direct the operation of the agency according to this chapter and the rules adopted under this chapter;

~~((24))~~ (23) Obtained or attempted to obtain a license by fraudulent means or misrepresentation; or

~~((25))~~ (24) Failed to report abuse or neglect of a patient or client in violation of chapter 74.34 RCW.

NEW SECTION. Sec. 12. A new section is added to chapter 70.127 RCW to read as follows:

(1) When the department determines the in-home services agency has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the in-home services agency failed to correct noncompliance with a statute or rule by a date established or agreed to by the department, the department may impose reasonable conditions on a license. Conditions may include correction within a specified amount of time, training, or hiring a department-approved consultant if the in-home services agency cannot demonstrate to the department that it has access to sufficient internal expertise. If the department determines that the violations constitute immediate jeopardy, the conditions may be imposed immediately in accordance with subsection (5) of this section.

(2)(a) In accordance with the authority the department has under RCW 43.70.095, the department may assess a civil fine of up to \$3,000 per violation on an in-home services agency licensed under this chapter when the department determines the in-home services agency has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the in-home services agency failed to correct noncompliance with a statute or rule by a date established or agreed to by the department.

(b) Proceeds from these fines may only be used by the department to offset costs associated with licensing and enforcement of in-home services agencies.

(c) The department shall adopt in rules under this chapter specific fine amounts in relation to the severity of the noncompliance and at an adequate level to be a deterrent to future noncompliance.

(d) If a licensee is aggrieved by the department's action of assessing civil fines, the licensee has the right to appeal under RCW 43.70.095.

(3) The department may suspend a specific category or categories of services or care that the in-home services agency provides as related to the violation by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(a) Prior to imposing a limited stop service, the department shall provide an in-home services agency written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The in-home services agency shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop service.

(b) When the department imposes a limited stop service, the in-home services agency may not provide the services in the category or categories subject to the limited stop service to any new or existing individuals until the limited stop service is terminated.

(c) The department shall conduct a follow-up inspection within five business days or within the time period requested by the in-home services agency if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(d) The limited stop service shall be terminated when:

(i) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the in-home services agency has taken intermediate action to address the immediate jeopardy; and

(ii) The in-home services agency establishes the ability to maintain correction of the violation previously found deficient.

(4) The department may suspend new admissions to an in-home services agency that qualifies as a hospice care center by imposing a stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of services or care that the hospice care center provides.

(a) Prior to imposing a stop placement, the department shall provide an in-home services agency that qualifies as a hospice care center written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The hospice care center shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the stop placement.

(b) When the department imposes a stop placement, the hospice care center may not admit any new patients until the stop placement is terminated.

(c) The department shall conduct a follow-up inspection within five business days or within the time period requested by the

hospice care center if more than five business days is needed to verify the violation necessitating the stop placement has been corrected.

(d) The stop placement shall be terminated when:

(i) The department verifies the violation necessitating the stop placement has been corrected or the department determines that the hospice care center has taken intermediate action to address the immediate jeopardy; and

(ii) The hospice care center establishes the ability to maintain correction of the violation previously found deficient.

(5) The department may deny an application for a license or suspend, revoke, or refuse to renew a license.

NEW SECTION. Sec. 13. A new section is added to chapter 70.127 RCW to read as follows:

(1) Except as otherwise provided, RCW 43.70.115 governs notice of the imposition of conditions on a license, a limited stop service, stop placement, or the suspension, revocation, or refusal to renew a license and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, include a copy of the department's notice, be served on and received by the department within 28 days of the licensee's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(2) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop service, stop placement, or the suspension of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(a) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is immediate jeopardy.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate suspension or imposition of conditions.

(c) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

(d) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

(3) When the department determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the department's investigation of such an alleged violation, the department may impose an immediate stop

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placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension.

(a) When the department imposes an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate. At the show cause hearing the department has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate action for failure to cooperate.

(c) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that the licensee cooperated with the department's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(d) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

Sec. 14. RCW 70.127.213 and 2000 c 175 s 19 are each amended to read as follows:

(1) The department may ~~((issue a notice of intention to issue a))~~ give written notice to cease and desist ((order)) to any person whom the department has reason to believe is engaged in the unlicensed operation of an in-home services agency. ~~((The person to whom the notice of intent is issued may request an adjudicative proceeding to contest the charges. The request for hearing must be filed within twenty days after service of the notice of intent to issue a cease and desist order. The failure to request a hearing constitutes a default, whereupon the department may enter a permanent cease and desist order, which may include a civil fine. All proceedings shall be conducted in accordance with chapter 34.05 RCW.~~

~~(2) If the department makes a final determination that a person has engaged or is engaging in unlicensed operation of an in-home services agency, the department may issue a cease and desist order. In addition, the department may impose a civil fine in an amount not exceeding one thousand dollars for each day upon which the person engaged in unlicensed operation of an in-home services agency. The proceeds of such fines shall be deposited in the department's local fee account.~~

~~(3) If the department makes a written finding of fact that the public interest will be irreparably harmed by delay in issuing an order, the department may issue a temporary cease and desist order. The person receiving a temporary cease and desist order~~

~~shall be provided an opportunity for a prompt hearing. The temporary cease and desist order shall remain in effect until further order of the department. The failure to request a prompt or regularly scheduled hearing constitutes a default, whereupon the department may enter a permanent cease and desist order, which may include a civil fine.~~

~~(4) Neither the issuance of a cease and desist order nor payment of a civil fine shall relieve the person so operating an in-home services agency without a license from criminal prosecution, but the remedy of a cease and desist order or civil fine shall be in addition to any criminal liability. The cease and desist order is conclusive proof of unlicensed operation and may be enforced under RCW 7.21.060. This method of enforcement of the cease and desist order or civil fine may be used in addition to, or as an alternative to, any provisions for enforcement of agency orders set out in chapter 34.05 RCW.)~~

~~(2)(a) Except as otherwise provided in this section, the requirement to cease and desist unlicensed operation is effective 20 days after the person receives the notice.~~

~~(b) The department may make the date the action is effective sooner than 20 days after receipt when necessary to protect the public health, safety, or welfare. When the department does so, it shall state the effective date and the reasons supporting the effective date in the written notice to cease and desist.~~

~~(3) The person to whom the notice to cease and desist is issued may request an adjudicative proceeding to contest the notice. The adjudicative proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request for an adjudicative proceeding must be in writing, state the basis for contesting the notice, include a copy of the notice, and be served on and received by the department within 20 days from the date the person receives the notice to cease and desist.~~

~~(4)(a) If the department gives a person 20 days' notice to cease and desist and the person requests an adjudicative proceeding before its effective date, the department shall not implement the notice until the final order has been entered. The presiding or reviewing officer may permit the department to implement part or all of the notice while the proceedings are pending if the respondent causes an unreasonable delay in the proceeding, if the circumstances change so that implementation is in the public interest, or for other good cause.~~

~~(b) If the department gives a licensee less than 20 days' notice to cease and desist and the respondent timely files a request for an adjudicative proceeding, the department may implement the cease and desist on the effective date stated in the notice. The presiding or reviewing officer may order the department to stay implementation of part or all of the adverse action while the proceedings are pending if staying implementation is in the public interest or for other good cause.~~

~~(5) The department may assess a civil fine not exceeding \$5,000 for each day a person operates an in-home services agency without a valid license.~~

~~(a) The department shall give written notice to the person against whom it assesses a civil fine.~~

~~(b) Except as otherwise provided in (c) and (d) of this subsection, the civil fine is due and payable 20 days after receipt.~~

~~(c) The person against whom the department assesses a civil fine has the right to request an adjudicative proceeding. The proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request must be in writing, state the basis for contesting the fine, include a copy of the notice, be served on and received by the department within 20 days of the person receiving the notice of civil fine, and be served in a manner which shows proof of receipt.~~

(d) If the person files a timely and sufficient request for adjudicative proceeding, the department shall not implement the fine until the final order has been served.

(6) Neither the issuance of a cease and desist order nor payment of a civil fine shall relieve the person so operating an in-home services agency without a license from criminal prosecution, but the remedy of a cease and desist order or civil fine shall be in addition to any criminal liability. A final notice to cease and desist is conclusive proof of unlicensed operation and may be enforced under RCW 7.21.060. This method of enforcement of the final notice to cease and desist or civil fine may be used in addition to, or as an alternative to, any provisions for enforcement of agency orders set out in chapter 34.05 RCW.

Sec. 15. RCW 70.230.010 and 2011 c 76 s 1 are each amended to read as follows:

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

(1) "Ambulatory surgical facility" means any distinct entity that operates for the primary purpose of providing specialty or multispecialty outpatient surgical services in which patients are admitted to and discharged from the facility within ~~((twenty-four))~~ 24 hours and do not require inpatient hospitalization, whether or not the facility is certified under Title XVIII of the federal social security act. An ambulatory surgical facility includes one or more surgical suites that are adjacent to and within the same building as, but not in, the office of a practitioner in an individual or group practice, if the primary purpose of the one or more surgical suites is to provide specialty or multispecialty outpatient surgical services, irrespective of the type of anesthesia administered in the one or more surgical suites. An ambulatory surgical facility that is adjacent to and within the same building as the office of a practitioner in an individual or group practice may include a surgical suite that shares a reception area, restroom, waiting room, or wall with the office of the practitioner in an individual or group practice.

(2) "Department" means the department of health.

(3) "General anesthesia" means a state of unconsciousness intentionally produced by anesthetic agents, with absence of pain sensation over the entire body, in which the patient is without protective reflexes and is unable to maintain an airway.

(4) "Immediate jeopardy" means a situation in which the ambulatory surgical facility's noncompliance with one or more statutory or regulatory requirements has placed the health and safety of patients in its care at risk for serious injury, serious harm, serious impairment, or death.

(5) "Person" means an individual, firm, partnership, corporation, company, association, joint stock association, and the legal successor thereof.

~~((5))~~ (6) "Practitioner" means any physician or surgeon licensed under chapter 18.71 RCW, an osteopathic physician or surgeon licensed under chapter 18.57 RCW, or a podiatric physician or surgeon licensed under chapter 18.22 RCW.

~~((6))~~ (7) "Secretary" means the secretary of health.

~~((7))~~ (8) "Surgical services" means invasive medical procedures that:

(a) Utilize a knife, laser, cautery, cryogenics, or chemicals; and

(b) Remove, correct, or facilitate the diagnosis or cure of a disease, process, or injury through that branch of medicine that treats diseases, injuries, and deformities by manual or operative methods by a practitioner.

Sec. 16. RCW 70.230.070 and 2007 c 273 s 8 are each amended to read as follows:

~~((The secretary may deny, suspend, or revoke the license of any ambulatory surgical facility in any case in which he or she finds the applicant or registered entity knowingly made a false~~

~~statement of material fact in the application for the license or any supporting data in any record required by this chapter or matter under investigation by the department.~~

~~(2) The secretary shall investigate complaints concerning operation of an ambulatory surgical facility without a license. The secretary may issue a notice of intention to issue a cease and desist order to any person whom the secretary has reason to believe is engaged in the unlicensed operation of an ambulatory surgical facility. If the secretary makes a written finding of fact that the public interest will be irreparably harmed by delay in issuing an order, the secretary may issue a temporary cease and desist order. The person receiving a temporary cease and desist order shall be provided an opportunity for a prompt hearing. The temporary cease and desist order shall remain in effect until further order of the secretary. Any person operating an ambulatory surgical facility under this chapter without a license is guilty of a misdemeanor, and each day of operation of an unlicensed ambulatory surgical facility constitutes a separate offense.~~

~~(3) The secretary is authorized to deny, suspend, revoke, or modify a license or provisional license in any case in which it finds that there has been a failure or refusal to comply with the requirements of this chapter or the standards or rules adopted under this chapter. RCW 43.70.115 governs notice of a license denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.~~

~~(4) Pursuant to chapter 34.05 RCW, the secretary may assess monetary penalties of a civil nature not to exceed one thousand dollars per violation.) The department is authorized to take any of the actions identified in this section against an ambulatory surgical facility's license or provisional license in any case in which it finds that there has been a failure or refusal to comply with the requirements of this chapter or the standards or rules adopted under this chapter.~~

(a) When the department determines the ambulatory surgical facility has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the ambulatory surgical facility failed to correct noncompliance with a statute or rule by a date established or agreed to by the department, the department may impose reasonable conditions on a license. Conditions may include correction within a specified amount of time, training, or hiring a department-approved consultant if the ambulatory surgical facility cannot demonstrate to the department that it has access to sufficient internal expertise.

(b)(i) In accordance with the authority the department has under RCW 43.70.095, the department may assess a civil fine of up to \$7,500 per violation on an ambulatory surgical facility licensed under this chapter when the department determines the ambulatory surgical facility has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the ambulatory surgical facility failed to correct noncompliance with a statute or rule by a date established or agreed to by the department.

(ii) Proceeds from these fines may only be used by the department to offset costs associated with licensing and enforcement of ambulatory surgical facilities.

(iii) If a licensee is aggrieved by the department's action of assessing civil fines, the licensee has the right to appeal under RCW 43.70.095.

(iv) The department shall adopt in rules under this chapter specific fine amounts in relation to:

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(A) The severity of the noncompliance and at an adequate level to be a deterrent to future noncompliance; and

(B) The number of surgical procedures performed by an ambulatory surgical facility on an annual basis as identified by the facility at the time of licensure or renewal in the following categories:

(I) Performs 1,000 or fewer surgical procedures;

(II) Performs between 1,001 and 5,000 surgical procedures; and

(III) Performs more than 5,000 surgical procedures.

(c) The department may suspend a specific category or categories of services or care or operating rooms or recovery rooms within the ambulatory surgical facility as related to the violation by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop service, the department shall provide an ambulatory surgical facility written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The ambulatory surgical facility shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop service.

(ii) When the department imposes a limited stop service, the ambulatory surgical facility may not provide the services in the category or categories subject to the limited stop service to any new or existing individuals, unless otherwise allowed by the department, until the limited stop service is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the ambulatory surgical facility if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(iv) The limited stop service shall be terminated when:

(A) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the ambulatory surgical facility has taken intermediate action to address the immediate jeopardy; and

(B) The ambulatory surgical facility establishes the ability to maintain correction of the violation previously found deficient.

(d) The department may suspend new admissions to the ambulatory surgical facility by imposing a stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of patients or a specific area of the ambulatory surgical facility.

(i) Prior to imposing a stop placement, the department shall provide an ambulatory surgical facility written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The ambulatory surgical facility shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the stop placement.

(ii) When the department imposes a stop placement, the ambulatory surgical facility may not admit any new patients until the stop placement is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the ambulatory surgical facility if more than five business days is needed to verify the violation necessitating the stop placement has been corrected.

(iv) The stop placement shall be terminated when:

(A) The department verifies the violation necessitating the stop placement has been corrected or the department determines that the ambulatory surgical facility has taken intermediate action to address the immediate jeopardy; and

(B) The ambulatory surgical facility establishes the ability to maintain correction of the violation previously found deficient.

(e) The department may deny an application for a license or suspend, revoke, or refuse to renew a license.

(2) The secretary may deny, suspend, or revoke the license of any ambulatory surgical facility in any case in which he or she finds the applicant or registered entity knowingly made a false statement of material fact in the application for the license or any supporting data in any record required by this chapter or matter under investigation by the department.

(3) Except as otherwise provided, RCW 43.70.115 governs notice of actions taken by the department under this section and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, include a copy of the department's notice, be served on and received by the department within 28 days of the licensee's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(a) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop service, stop placement, or the suspension of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(b) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(c) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate suspension or imposition of conditions.

(d) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

(e) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(f) If the presiding officer sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

(4) When the department determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the department's investigation of such an alleged violation, the department may impose an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension.

(a) When the department imposes an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate.

(b) At the show cause hearing the department has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation.

(c) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate action for failure to cooperate.

(d) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that the licensee cooperated with the department's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(e) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(f) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

NEW SECTION. Sec. 17. A new section is added to chapter 70.230 RCW to read as follows:

(1) The department may give written notice to cease and desist to any person whom the department has reason to believe is engaged in the unlicensed operation of an ambulatory surgical facility.

(2)(a) Except as otherwise provided in this section, the requirement to cease and desist unlicensed operation is effective 20 days after the person receives the notice.

(b) The department may make the date the action is effective sooner than 20 days after receipt when necessary to protect the public health, safety, or welfare. When the department does so, it shall state the effective date and the reasons supporting the effective date in the written notice to cease and desist.

(3) The person to whom the notice to cease and desist is issued may request an adjudicative proceeding to contest the notice. The adjudicative proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request for an adjudicative proceeding must be in writing, state the basis for contesting the notice, include a copy of the notice, and be served on and received by the department within 20 days from the date the person receives the notice to cease and desist.

(4)(a) If the department gives a person 20 days' notice to cease and desist and the person requests an adjudicative proceeding before its effective date, the department shall not implement the notice until the final order has been entered. The presiding or reviewing officer may permit the department to implement part or all of the notice while the proceedings are pending if the respondent causes an unreasonable delay in the proceeding, if the circumstances change so that implementation is in the public interest, or for other good cause.

(b) If the department gives a licensee less than 20 days' notice to cease and desist and the respondent timely files a request for an adjudicative proceeding, the department may implement the cease and desist on the effective date stated in the notice. The presiding or reviewing officer may order the department to stay implementation of part or all of the adverse action while the proceedings are pending if staying implementation is in the public interest or for other good cause.

(5) The department may assess a civil fine not exceeding \$5,000 for each day a person operates an ambulatory surgical facility without a valid license.

(a) The department shall give written notice to the person against whom it assesses a civil fine.

(b) Except as otherwise provided in (c) and (d) of this subsection, the civil fine is due and payable 20 days after receipt.

(c) The person against whom the department assesses a civil fine has the right to request an adjudicative proceeding. The proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request must be in writing, state the basis for contesting the fine, include a copy of the notice, be served on and received by the department within 20 days of the person receiving the notice of civil fine, and be served in a manner which shows proof of receipt.

(d) If the person files a timely and sufficient request for adjudicative proceeding, the department shall not implement the fine until the final order has been served.

(6) Neither the issuance of a cease and desist order nor payment of a civil fine shall relieve the person so operating an ambulatory surgical facility without a license from criminal prosecution, but the remedy of a cease and desist order or civil fine shall be in addition to any criminal liability. A final notice to cease and desist is conclusive proof of unlicensed operation and may be enforced under RCW 7.21.060. This method of enforcement of the final notice to cease and desist or civil fine may be used in addition to, or as an alternative to, any provisions for enforcement of agency orders set out in chapter 34.05 RCW.

Sec. 18. RCW 71.12.710 and 2020 c 115 s 3 are each amended to read as follows:

(1) In any case in which the department finds that a ~~((licensed psychiatric hospital))~~ private establishment has failed or refused to comply with ~~((applicable state))~~ the requirements of this chapter, the standards or rules adopted under this chapter, or other applicable state or federal statutes or ((regulations)) rules, the department may take one or more of the actions identified in this section, except as otherwise limited in this section.

(a) When the department determines the ~~((psychiatric hospital))~~ private establishment has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the ~~((psychiatric hospital))~~ private establishment failed to correct noncompliance with a statute or rule by a date established or agreed to by the department, the department may impose reasonable conditions on a license. Conditions may include correction within a specified amount of time, training, or hiring a department-approved

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consultant if the ~~((hospital))~~ private establishment cannot demonstrate to the department that it has access to sufficient internal expertise.

(b)(i) In accordance with the authority the department has under RCW 43.70.095, the department may assess a civil fine of up to ~~((ten thousand dollars))~~ \$10,000 per violation, not to exceed a total fine of ~~((one million dollars))~~ \$1,000,000, on a ~~((hospital))~~ private establishment licensed under this chapter when the department determines the ~~((psychiatric hospital))~~ private establishment has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the ~~((psychiatric hospital))~~ private establishment failed to correct noncompliance with a statute or rule by a date established or agreed to by the department.

(ii) Proceeds from these fines may only be used by the department to provide training or technical assistance to ~~((psychiatric hospitals and))~~ private establishments or to offset costs associated with licensing ~~((psychiatric hospitals))~~ private establishments.

(iii) The department shall adopt in rules under this chapter specific fine amounts in relation to the severity of the noncompliance.

(iv) If a licensee is aggrieved by the department's action of assessing civil fines, the licensee has the right to appeal under RCW 43.70.095.

~~((In accordance with RCW 43.70.095, the department may impose civil fines of up to ten thousand dollars for each day a person operates a psychiatric hospital without a valid license. Proceeds from these fines may only be used by the department to provide training or technical assistance to psychiatric hospitals and to offset costs associated with licensing psychiatric hospitals.))~~

~~((d))~~ The department may suspend new admissions of a specific category or categories of patients as related to the violation by imposing a limited stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop placement, the department shall provide a ~~((psychiatric hospital))~~ private establishment written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy, and the ~~((psychiatric hospital))~~ private establishment shall have ~~((twenty-four))~~ 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same ~~((twenty-four))~~ 24-hour period, the department may issue the limited stop placement.

(ii) When the department imposes a limited stop placement, the ~~((psychiatric hospital))~~ private establishment may not ~~((admit any new patients))~~ accept any new admissions in the category or categories subject to the limited stop placement until the limited stop placement order is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the ~~((psychiatric hospital))~~ private establishment if more than five business days is needed to verify the violation necessitating the limited stop placement has been corrected.

(iv) The limited stop placement shall be terminated when:

(A) The department verifies the violation necessitating the limited stop placement has been corrected or the department determines that the ~~((psychiatric hospital))~~ private establishment

has taken intermediate action to address the immediate jeopardy; and

(B) The ~~((psychiatric hospital))~~ private establishment establishes the ability to maintain correction of the violation previously found deficient.

~~((e))~~ ~~((d))~~ The department may suspend all new admissions to the ~~((psychiatric hospital))~~ private establishment by imposing a stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of patients or a specific area of the ~~((psychiatric hospital))~~ private establishment.

(i) Prior to imposing a stop placement, the department shall provide a ~~((psychiatric hospital))~~ private establishment written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy, and the ~~((psychiatric hospital))~~ private establishment shall have ~~((twenty-four))~~ 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same ~~((twenty-four))~~ 24-hour period, the department may issue the stop placement.

(ii) When the department imposes a stop placement, the ~~((psychiatric hospital))~~ private establishment may not ~~((admit any new patients))~~ accept any new admissions until the stop placement order is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the ~~((psychiatric hospital))~~ private establishment if more than five business days is needed to verify the violation necessitating the stop placement has been corrected.

(iv) The stop placement order shall be terminated when:

(A) The department verifies the violation necessitating the stop placement has been corrected or the department determines that the ~~((psychiatric hospital))~~ private establishment has taken intermediate action to address the immediate jeopardy; and

(B) The ~~((psychiatric hospital))~~ private establishment establishes the ability to maintain correction of the violation previously found deficient.

~~((f))~~ ~~((e))~~ The department may suspend a specific category or categories of services within the private establishment as related to the violation by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop service, the department shall provide a private establishment written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The private establishment shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop service.

(ii) When the department imposes a limited stop service, the private establishment may not provide the services in the category or categories subject to the limited stop service to any new or existing individuals, unless otherwise allowed by the department, until the limited stop service is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the private establishment if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(iv) The limited stop service shall be terminated when:

(A) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the private establishment has taken intermediate action to address the immediate jeopardy; and

(B) The private establishment establishes the ability to maintain correction of the violation previously found deficient.

(f) The department may suspend, revoke, or refuse to renew a license.

(2)(a) Except as otherwise provided, RCW 43.70.115 governs notice of the imposition of conditions on a license, a limited stop placement, stop placement, limited stop service, or the suspension, revocation, or refusal to renew a license and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, including a copy of the department's notice, be served on and received by the department within ~~((twenty-eight))~~ 28 days of the licensee's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(b) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop placement, stop placement, limited stop service, or the suspension of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(i) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within ~~((fourteen))~~ 14 days of making the request. The licensee must request the show cause hearing within ~~((twenty-eight))~~ 28 days of receipt of the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(ii) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and must provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department must provide the licensee with all documentation that supports the department's immediate suspension or immediate imposition of conditions.

(iii) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

(iv) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(v) If the secretary sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within ~~((ninety))~~ 90 days of the licensee's request.

(3) When the department determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the department's investigation of such an alleged violation, the department may impose an immediate stop placement, immediate limited stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension.

(a) When the department imposes an immediate stop placement, immediate limited stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate stop placement, immediate limited stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate. At the show cause hearing the department has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate stop placement, immediate limited stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate action for failure to cooperate.

(c) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that the licensee cooperated with the department's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(d) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

Sec. 19. RCW 71.12.455 and 2020 c 115 s 6 are each reenacted and amended to read as follows:

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

(1) "Department" means the department of health.

(2) "Elopement" means any situation in which an admitted patient of a ~~((psychiatric hospital))~~ private establishment who is cognitively, physically, mentally, emotionally, and/or chemically impaired wanders, walks, runs away, escapes, or otherwise leaves a ~~((psychiatric hospital))~~ private establishment or the grounds of a ~~((psychiatric hospital))~~ private establishment prior to the patient's scheduled discharge unsupervised, unnoticed, and without the staff's knowledge.

(3) ~~((Establishment))~~ Private establishment, "establishment," and "institution" mean:

(a) Every private or county or municipal hospital, including public hospital districts, ~~((sanatoriums,))~~ homes, ~~((psychiatric))~~ behavioral health hospitals, residential treatment facilities, or other places receiving or caring for any person with ~~((mental illness, mentally incompetent person, or chemically dependent person))~~ a behavioral health or substance use disorder; and

(b) Beginning January 1, 2019, facilities providing pediatric transitional care services.

(4) "Immediate jeopardy" means a situation in which the ~~((psychiatric hospital's))~~ private establishment's noncompliance with one or more statutory or regulatory requirements has placed

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the health and safety of patients in its care at risk for serious injury, serious harm, serious impairment, or death.

(5) "Pediatric transitional care services" means short-term, temporary, health and comfort services for drug exposed infants according to the requirements of this chapter and provided in an establishment licensed by the department ~~((of health))~~.

(6) ~~((Psychiatric))~~ Behavioral health hospital means an establishment caring for any person with mental illness or substance use disorder excluding acute care hospitals licensed under chapter 70.41 RCW, state psychiatric hospitals established under chapter 72.23 RCW, and residential treatment facilities as defined in this section.

(7) "Residential treatment facility" means an establishment in which ~~((twenty-four))~~ 24-hour on-site care is provided for the evaluation, stabilization, or treatment of residents for substance use, mental health, co-occurring disorders, or for drug exposed infants.

(8) "Secretary" means the secretary of the department of health.

(9) "Technical assistance" means the provision of information on the state laws and rules applicable to the regulation of ~~((psychiatric hospitals))~~ private establishments, the process to apply for a license, and methods and resources to avoid or address compliance problems. Technical assistance does not include assistance provided under chapter 43.05 RCW.

(10) "Trained caregiver" means a noncredentialed, unlicensed person trained by the establishment providing pediatric transitional care services to provide hands-on care to drug exposed infants. Caregivers may not provide medical care to infants and may only work under the supervision of an appropriate health care professional.

Sec. 20. RCW 71.12.500 and 2000 c 93 s 25 are each amended to read as follows:

The department ~~((of health))~~ may at any time examine ~~((and ascertain how far))~~ a licensed private establishment ~~((is conducted in compliance with this chapter, the rules adopted under this chapter, and the requirements of the license therefor. If the interests of the patients of the establishment so demand, the department may, for just and reasonable cause, suspend, modify, or revoke any such license. RCW 43.70.115 governs notice of a license denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.))~~ to determine whether it has failed or refused to comply with the requirements of this chapter, the standards or rules adopted under this chapter, or other applicable state or federal statutes or rules regulating private establishments.

NEW SECTION. Sec. 21. A new section is added to chapter 71.12 RCW to read as follows:

(1) The department may give written notice to cease and desist to any person whom the department has reason to believe is engaged in the unlicensed operation of a private establishment.

(2)(a) Except as otherwise provided in this section, the requirement to cease and desist unlicensed operation is effective 20 days after the person receives the notice.

(b) The department may make the date the action is effective sooner than 20 days after receipt when necessary to protect the public health, safety, or welfare. When the department does so, it shall state the effective date and the reasons supporting the effective date in the written notice to cease and desist.

(3) The person to whom the notice to cease and desist is issued may request an adjudicative proceeding to contest the notice. The adjudicative proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request for an adjudicative proceeding must be in writing, state the basis for contesting the notice, include a copy of the notice, and be served

on and received by the department within 20 days from the date the person receives the notice to cease and desist.

(4)(a) If the department gives a person 20 days' notice to cease and desist and the person requests an adjudicative proceeding before its effective date, the department shall not implement the notice until the final order has been entered. The presiding or reviewing officer may permit the department to implement part or all of the notice while the proceedings are pending if the respondent causes an unreasonable delay in the proceeding, if the circumstances change so that implementation is in the public interest, or for other good cause.

(b) If the department gives a licensee less than 20 days' notice to cease and desist and the respondent timely files a request for an adjudicative proceeding, the department may implement the cease and desist on the effective date stated in the notice. The presiding or reviewing officer may order the department to stay implementation of part or all of the adverse action while the proceedings are pending if staying implementation is in the public interest or for other good cause.

(5) The department may assess a civil fine not exceeding \$5,000 for each day a person operates a private establishment without a valid license.

(a) The department shall give written notice to the person against whom it assesses a civil fine.

(b) Except as otherwise provided in (c) and (d) of this subsection, the civil fine is due and payable 20 days after receipt.

(c) The person against whom the department assesses a civil fine has the right to request an adjudicative proceeding. The proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The request must be in writing, state the basis for contesting the fine, include a copy of the notice, be served on and received by the department within 20 days of the person receiving the notice of civil fine, and be served in a manner which shows proof of receipt.

(d) If the person files a timely and sufficient request for adjudicative proceeding, the department shall not implement the fine until the final order has been served.

(6) Neither the issuance of a cease and desist order nor payment of a civil fine shall relieve the person so operating a private establishment without a license from criminal prosecution, but the remedy of a cease and desist order or civil fine shall be in addition to any criminal liability. A final notice to cease and desist is conclusive proof of unlicensed operation and may be enforced under RCW 7.21.060. This method of enforcement of the final notice to cease and desist or civil fine may be used in addition to, or as an alternative to, any provisions for enforcement of agency orders set out in chapter 34.05 RCW.

Sec. 22. RCW 70.38.025 and 2000 c 175 s 22 are each amended to read as follows:

When used in this chapter, the terms defined in this section shall have the meanings indicated.

(1) "Board of health" means the state board of health created pursuant to chapter 43.20 RCW.

(2) "Capital expenditure" is an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a nursing home facility as its own contractor) which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required review if the acquisition had been made by purchase, such expenditure shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a nursing home facility which if acquired directly by such facility would be subject to certificate of need review under the

provisions of this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review. The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which such expenditure is made shall be included in determining the amount of the expenditure.

(3) "Continuing care retirement community" means an entity which provides shelter and services under continuing care contracts with its members and which sponsors or includes a health care facility or a health service. A "continuing care contract" means a contract to provide a person, for the duration of that person's life or for a term in excess of one year, shelter along with nursing, medical, health-related, or personal care services, which is conditioned upon the transfer of property, the payment of an entrance fee to the provider of such services, or the payment of periodic charges for the care and services involved. A continuing care contract is not excluded from this definition because the contract is mutually terminable or because shelter and services are not provided at the same location.

(4) "Department" means the department of health.

(5) "Expenditure minimum" means, for the purposes of the certificate of need program, ~~((one million dollars))~~ \$1,000,000 adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule.

(6) "Health care facility" means hospices, hospice care centers, hospitals, ~~((psychiatric))~~ behavioral health hospitals, nursing homes, kidney disease treatment centers, ambulatory surgical facilities, and home health agencies, and includes such facilities when owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations, but does not include any health facility or institution conducted by and for those who rely exclusively upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denomination, or any health facility or institution operated for the exclusive care of members of a convent as defined in RCW 84.36.800 or rectory, monastery, or other institution operated for the care of members of the clergy. In addition, the term does not include any nonprofit hospital: (a) Which is operated exclusively to provide health care services for children; (b) which does not charge fees for such services; and (c) if not contrary to federal law as necessary to the receipt of federal funds by the state.

(7) "Health maintenance organization" means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, section 1310(d) of the Public Health ~~((Services [Service]))~~ Service Act; or

(b)(i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, X-ray, emergency, and preventive services, and out-of-area coverage; (ii) is compensated (except for copayments) for the provision of the basic health care services listed in (b)(i) to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and (iii) provides physicians' services primarily (A) directly through physicians who are either employees or partners of such organization, or (B) through arrangements with individual

physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(8) "Health services" means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services and as defined in federal law.

(9) "Health service area" means a geographic region appropriate for effective health planning which includes a broad range of health services.

(10) "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

(11) "Provider" generally means a health care professional or an organization, institution, or other entity providing health care but the precise definition for this term shall be established by rule of the department, consistent with federal law.

(12) "Public health" means the level of well-being of the general population; those actions in a community necessary to preserve, protect, and promote the health of the people for which government is responsible; and the governmental system developed to guarantee the preservation of the health of the people.

(13) "Secretary" means the secretary of health or the secretary's designee.

(14) "Tertiary health service" means a specialized service that meets complicated medical needs of people and requires sufficient patient volume to optimize provider effectiveness, quality of service, and improved outcomes of care.

(15) "Hospital" means any health care institution which is required to qualify for a license under RCW 70.41.020~~((2))~~ (8); or as a ~~((psychiatric))~~ behavioral health hospital under chapter 71.12 RCW.

Sec. 23. RCW 70.38.111 and 2021 c 277 s 1 are each amended to read as follows:

(1) The department shall not require a certificate of need for the offering of an inpatient tertiary health service by:

(a) A health maintenance organization or a combination of health maintenance organizations if (i) the organization or combination of organizations has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least ~~((fifty thousand))~~ 50,000 individuals, (ii) the facility in which the service will be provided is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least ~~((seventy-five))~~ 75 percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination;

(b) A health care facility if (i) the facility primarily provides or will provide inpatient health services, (ii) the facility is or will be controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations which has, in the service area of the organization or service areas of the organizations in the combination, an enrollment of at least ~~((fifty thousand))~~ 50,000 individuals, (iii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least ~~((seventy-five))~~ 75 percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination; or

(c) A health care facility (or portion thereof) if (i) the facility is or will be leased by a health maintenance organization or

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combination of health maintenance organizations which has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least (~~(fifty thousand)~~) 50,000 individuals and, on the date the application is submitted under subsection (2) of this section, at least (~~(fifteen)~~) 15 years remain in the term of the lease, (ii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least (~~(seventy-five)~~) 75 percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization;

if, with respect to such offering or obligation by a nursing home, the department has, upon application under subsection (2) of this section, granted an exemption from such requirement to the organization, combination of organizations, or facility.

(2) A health maintenance organization, combination of health maintenance organizations, or health care facility shall not be exempt under subsection (1) of this section from obtaining a certificate of need before offering a tertiary health service unless:

(a) It has submitted at least (~~(thirty)~~) 30 days prior to the offering of services reviewable under RCW 70.38.105(4)(d) an application for such exemption; and

(b) The application contains such information respecting the organization, combination, or facility and the proposed offering or obligation by a nursing home as the department may require to determine if the organization or combination meets the requirements of subsection (1) of this section or the facility meets or will meet such requirements; and

(c) The department approves such application. The department shall approve or disapprove an application for exemption within (~~(thirty)~~) 30 days of receipt of a completed application. In the case of a proposed health care facility (or portion thereof) which has not begun to provide tertiary health services on the date an application is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet the applicable requirements of subsection (1) of this section when the facility first provides such services. The department shall approve an application submitted under this subsection if it determines that the applicable requirements of subsection (1) of this section are met.

(3) A health care facility (or any part thereof) with respect to which an exemption was granted under subsection (1) of this section may not be sold or leased and a controlling interest in such facility or in a lease of such facility may not be acquired and a health care facility described in (1)(c) which was granted an exemption under subsection (1) of this section may not be used by any person other than the lessee described in (1)(c) unless:

(a) The department issues a certificate of need approving the sale, lease, acquisition, or use; or

(b) The department determines, upon application, that (i) the entity to which the facility is proposed to be sold or leased, which intends to acquire the controlling interest, or which intends to use the facility is a health maintenance organization or a combination of health maintenance organizations which meets the requirements of (1)(a)(i), and (ii) with respect to such facility, meets the requirements of (1)(a)(ii) or (iii) or the requirements of (1)(b)(i) and (ii).

(4) In the case of a health maintenance organization, an ambulatory care facility, or a health care facility, which ambulatory or health care facility is controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations, the department may under the program apply its certificate of need requirements to the offering of inpatient tertiary health services to the extent that such

offering is not exempt under the provisions of this section or RCW 70.38.105(7).

(5)(a) The department shall not require a certificate of need for the construction, development, or other establishment of a nursing home, or the addition of beds to an existing nursing home, that is owned and operated by a continuing care retirement community that:

(i) Offers services only to contractual members;

(ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some assistance with daily living activities;

(iii) Contractually assumes responsibility for the cost of services exceeding the member's financial responsibility under the contract, so that no third party, with the exception of insurance purchased by the retirement community or its members, but including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources;

(iv) Has offered continuing care contracts and operated a nursing home continuously since January 1, 1988, or has obtained a certificate of need to establish a nursing home;

(v) Maintains a binding agreement with the state assuring that financial liability for services to members, including nursing home services, will not fall upon the state;

(vi) Does not operate, and has not undertaken a project that would result in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and

(vii) Has obtained a professional review of pricing and long-term solvency within the prior five years which was fully disclosed to members.

(b) A continuing care retirement community shall not be exempt under this subsection from obtaining a certificate of need unless:

(i) It has submitted an application for exemption at least (~~(thirty)~~) 30 days prior to commencing construction of, is submitting an application for the licensure of, or is commencing operation of a nursing home, whichever comes first; and

(ii) The application documents to the department that the continuing care retirement community qualifies for exemption.

(c) The sale, lease, acquisition, or use of part or all of a continuing care retirement community nursing home that qualifies for exemption under this subsection shall require prior certificate of need approval to qualify for licensure as a nursing home unless the department determines such sale, lease, acquisition, or use is by a continuing care retirement community that meets the conditions of (a) of this subsection.

(6) A rural hospital, as defined by the department, reducing the number of licensed beds to become a rural primary care hospital under the provisions of Part A Title XVIII of the Social Security Act Section 1820, 42 U.S.C., 1395c et seq. may, within three years of the reduction of beds licensed under chapter 70.41 RCW, increase the number of licensed beds to no more than the previously licensed number without being subject to the provisions of this chapter.

(7) A rural health care facility licensed under RCW 70.175.100 formerly licensed as a hospital under chapter 70.41 RCW may, within three years of the effective date of the rural health care facility license, apply to the department for a hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW and there is no redistribution in the number of beds used for acute care or long-term care, the rural health care facility has been in continuous

operation, and the rural health care facility has not been purchased or leased.

(8) A rural hospital determined to no longer meet critical access hospital status for state law purposes as a result of participation in the Washington rural health access preservation pilot identified by the state office of rural health and formerly licensed as a hospital under chapter 70.41 RCW may apply to the department to renew its hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW. If all or part of a formerly licensed rural hospital is sold, purchased, or leased during the period the rural hospital does not meet critical access hospital status as a result of participation in the Washington rural health access preservation pilot and the new owner or lessor applies to renew the rural hospital's license, then the sale, purchase, or lease of part or all of the rural hospital is subject to the provisions of this chapter.

(9)(a) A nursing home that voluntarily reduces the number of its licensed beds to provide assisted living, licensed assisted living facility care, adult day care, adult day health, respite care, hospice, outpatient therapy services, congregate meals, home health, or senior wellness clinic, or to reduce to one or two the number of beds per room or to otherwise enhance the quality of life for residents in the nursing home, may convert the original facility or portion of the facility back, and thereby increase the number of nursing home beds to no more than the previously licensed number of nursing home beds without obtaining a certificate of need under this chapter, provided the facility has been in continuous operation and has not been purchased or leased. Any conversion to the original licensed bed capacity, or to any portion thereof, shall comply with the same life and safety code requirements as existed at the time the nursing home voluntarily reduced its licensed beds; unless waivers from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers.

(b) To convert beds back to nursing home beds under this subsection, the nursing home must:

(i) Give notice of its intent to preserve conversion options to the department of health no later than ~~((thirty))~~ 30 days after the effective date of the license reduction; and

(ii) Give notice to the department of health and to the department of social and health services of the intent to convert beds back. If construction is required for the conversion of beds back, the notice of intent to convert beds back must be given, at a minimum, one year prior to the effective date of license modification reflecting the restored beds; otherwise, the notice must be given a minimum of ~~((ninety))~~ 90 days prior to the effective date of license modification reflecting the restored beds. Prior to any license modification to convert beds back to nursing home beds under this section, the licensee must demonstrate that the nursing home meets the certificate of need exemption requirements of this section.

The term "construction," as used in (b)(ii) of this subsection, is limited to those projects that are expected to equal or exceed the expenditure minimum amount, as determined under this chapter.

(c) Conversion of beds back under this subsection must be completed no later than four years after the effective date of the license reduction. However, for good cause shown, the four-year period for conversion may be extended by the department of health for one additional four-year period.

(d) Nursing home beds that have been voluntarily reduced under this section shall be counted as available nursing home beds for the purpose of evaluating need under RCW 70.38.115(2) (a)

and (k) so long as the facility retains the ability to convert them back to nursing home use under the terms of this section.

(e) When a building owner has secured an interest in the nursing home beds, which are intended to be voluntarily reduced by the licensee under (a) of this subsection, the applicant shall provide the department with a written statement indicating the building owner's approval of the bed reduction.

(10)(a) The department shall not require a certificate of need for a hospice agency if:

(i) The hospice agency is designed to serve the unique religious or cultural needs of a religious group or an ethnic minority and commits to furnishing hospice services in a manner specifically aimed at meeting the unique religious or cultural needs of the religious group or ethnic minority;

(ii) The hospice agency is operated by an organization that:

(A) Operates a facility, or group of facilities, that offers a comprehensive continuum of long-term care services, including, at a minimum, a licensed, medicare-certified nursing home, assisted living, independent living, day health, and various community-based support services, designed to meet the unique social, cultural, and religious needs of a specific cultural and ethnic minority group;

(B) Has operated the facility or group of facilities for at least ~~((ten))~~ 10 continuous years prior to the establishment of the hospice agency;

(iii) The hospice agency commits to coordinating with existing hospice programs in its community when appropriate;

(iv) The hospice agency has a census of no more than ~~((forty))~~ 40 patients;

(v) The hospice agency commits to obtaining and maintaining medicare certification;

(vi) The hospice agency only serves patients located in the same county as the majority of the long-term care services offered by the organization that operates the agency; and

(vii) The hospice agency is not sold or transferred to another agency.

(b) The department shall include the patient census for an agency exempted under this subsection (10) in its calculations for future certificate of need applications.

(11) To alleviate the need to board psychiatric patients in emergency departments and increase capacity of hospitals to serve individuals on ~~((ninety))~~ 90-day or ~~((one hundred eighty))~~ 180-day commitment orders, for the period of time from May 5, 2017, through June 30, 2023:

(a) The department shall suspend the certificate of need requirement for a hospital licensed under chapter 70.41 RCW that changes the use of licensed beds to increase the number of beds to provide psychiatric services, including involuntary treatment services. A certificate of need exemption under this subsection (11)(a) shall be valid for two years.

(b) The department may not require a certificate of need for:

(i) The addition of beds as described in RCW 70.38.260 (2) and (3); or

(ii) The construction, development, or establishment of a ~~((psychiatric))~~ behavioral health hospital licensed as an establishment under chapter 71.12 RCW that will have no more than ~~((sixteen))~~ 16 beds and provide treatment to adults on ~~((ninety))~~ 90 or ~~((one hundred eighty))~~ 180-day involuntary commitment orders, as described in RCW 70.38.260(4).

(12)(a) An ambulatory surgical facility is exempt from all certificate of need requirements if the facility:

(i) Is an individual or group practice and, if the facility is a group practice, the privilege of using the facility is not extended to physicians outside the group practice;

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(ii) Operated or received approval to operate, prior to January 19, 2018; and

(iii) Was exempt from certificate of need requirements prior to January 19, 2018, because the facility either:

(A) Was determined to be exempt from certificate of need requirements pursuant to a determination of reviewability issued by the department; or

(B) Was a single-specialty endoscopy center in existence prior to January 14, 2003, when the department determined that endoscopy procedures were surgeries for purposes of certificate of need.

(b) The exemption under this subsection:

(i) Applies regardless of future changes of ownership, corporate structure, or affiliations of the individual or group practice as long as the use of the facility remains limited to physicians in the group practice; and

(ii) Does not apply to changes in services, specialties, or number of operating rooms.

(13) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416 is not subject to certificate of need review under this chapter.

Sec. 24. RCW 70.38.260 and 2021 c 277 s 2 are each amended to read as follows:

(1) For a grant awarded during fiscal years 2018 and 2019 by the department of commerce under this section, hospitals licensed under chapter 70.41 RCW and ~~((psychiatric)) behavioral health~~ hospitals licensed as establishments under chapter 71.12 RCW are not subject to certificate of need requirements for the addition of the number of new psychiatric beds indicated in the grant. The department of commerce may not make a prior approval of a certificate of need application a condition for a grant application under this section. The period during which an approved hospital or ~~((psychiatric)) behavioral health~~ hospital project qualifies for a certificate of need exemption under this section is two years from the date of the grant award.

(2)(a) Until June 30, 2023, a hospital licensed under chapter 70.41 RCW is exempt from certificate of need requirements for the addition of new psychiatric beds.

(b) A hospital that adds new psychiatric beds under this subsection (2) must:

(i) Notify the department of the addition of new psychiatric beds. The department shall provide the hospital with a notice of exemption within ~~((thirty))~~ 30 days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(c) Beds granted an exemption under RCW 70.38.111(11)(b) must remain psychiatric beds unless a certificate of need is granted to change their use or the hospital voluntarily reduces its licensed capacity.

(3)(a) Until June 30, 2023, a ~~((psychiatric)) behavioral health~~ hospital licensed as an establishment under chapter 71.12 RCW is exempt from certificate of need requirements for the one-time addition of up to 30 new psychiatric beds devoted solely for 90-day and 180-day civil commitment services and for the one-time addition of up to 30 new voluntary psychiatric beds or involuntary psychiatric beds for patients on a 120 hour detention or 14-day civil commitment order, if the hospital makes a commitment to maintain a payer mix of at least ~~((fifty))~~ 50 percent medicare and medicaid based on a calculation using patient days for a period of five consecutive years after the beds are made available for use by patients, if it demonstrates to the satisfaction of the department:

(i) That its most recent two years of publicly available fiscal year-end report data as required under RCW 70.170.100 and

43.70.050 reported to the department by the ~~((psychiatric)) behavioral health~~ hospital, show a payer mix of a minimum of ~~((fifty))~~ 50 percent medicare and medicaid based on a calculation using patient days; and

(ii) A commitment to maintaining the payer mix in (a) of this subsection for a period of five consecutive years after the beds are made available for use by patients.

(b) A ~~((psychiatric)) behavioral health~~ hospital that adds new psychiatric beds under this subsection (3) must:

(i) Notify the department of the addition of new psychiatric beds. The department shall provide the ~~((psychiatric)) behavioral health~~ hospital with a notice of exemption within ~~((thirty))~~ 30 days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(c) Beds granted an exemption under RCW 70.38.111(11)(b) must remain the types of psychiatric beds indicated to the department in the original exemption application unless a certificate of need is granted to change their use or the ~~((psychiatric)) behavioral health~~ hospital voluntarily reduces its licensed capacity.

(4)(a) Until June 30, 2023, an entity seeking to construct, develop, or establish a ~~((psychiatric)) behavioral health~~ hospital licensed as an establishment under chapter 71.12 RCW is exempt from certificate of need requirements if the proposed ~~((psychiatric)) behavioral health~~ hospital will have no more than ~~((sixteen))~~ 16 beds and dedicate a portion of the beds to providing treatment to adults on ~~((ninety))~~ 90 or ~~((one hundred eighty))~~ 180-day involuntary commitment orders. The ~~((psychiatric)) behavioral health~~ hospital may also provide treatment to adults on a 120 hour detention or 14-day involuntary commitment order.

(b) An entity that seeks to construct, develop, or establish a ~~((psychiatric)) behavioral health~~ hospital under this subsection (4) must:

(i) Notify the department of the addition of construction, development, or establishment. The department shall provide the entity with a notice of exemption within ~~((thirty))~~ 30 days; and

(ii) Commence the project within two years of the date of receipt of the notice of exemption.

(c) Entities granted an exemption under RCW 70.38.111(11)(b)(ii) may not exceed ~~((sixteen))~~ 16 beds unless a certificate of need is granted to increase the ~~((psychiatric)) behavioral health~~ hospital's capacity.

(5) This section expires June 30, 2025.

Sec. 25. RCW 71.24.025 and 2023 c 454 s 1 and 2023 c 433 s 1 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "23-hour crisis relief center" means a community-based facility or portion of a facility serving adults, which is licensed or certified by the department of health and open 24 hours a day, seven days a week, offering access to mental health and substance use care for no more than 23 hours and 59 minutes at a time per patient, and which accepts all behavioral health crisis walk-ins drop-offs from first responders, and individuals referred through the 988 system regardless of behavioral health acuity, and meets the requirements under RCW 71.24.916.

(2) "988 crisis hotline" means the universal telephone number within the United States designated for the purpose of the national suicide prevention and mental health crisis hotline system operating through the national suicide prevention lifeline.

(3) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(4) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program licensed or certified by the department as meeting standards adopted under this chapter.

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

(7) "Available resources" means funds appropriated for the purpose of providing community behavioral health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other behavioral health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(8) "Behavioral health administrative services organization" means an entity contracted with the authority to administer behavioral health services and programs under RCW 71.24.381, including crisis services and administration of chapter 71.05 RCW, the involuntary treatment act, for all individuals in a defined regional service area.

(9) "Behavioral health aide" means a counselor, health educator, and advocate who helps address individual and community-based behavioral health needs, including those related to alcohol, drug, and tobacco abuse as well as mental health problems such as grief, depression, suicide, and related issues and is certified by a community health aide program of the Indian health service or one or more tribes or tribal organizations consistent with the provisions of 25 U.S.C. Sec. 1616l and RCW 43.71B.010 (7) and (8).

(10) "Behavioral health provider" means a person licensed under chapter 18.57, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(11) "Behavioral health services" means mental health services, substance use disorder treatment services, and co-occurring disorder treatment services as described in this chapter and chapter 71.36 RCW that, depending on the type of service, are provided by licensed or certified behavioral health agencies, behavioral health providers, or integrated into other health care providers.

(12) "Child" means a person under the age of (~~eighteen~~) 18 years.

(13) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous (~~psychiatric~~) behavioral health hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a

continuous period of not less than (~~twelve~~) 12 months. "Substantial gainful activity" shall be defined by the authority by rule consistent with Public Law 92-603, as amended.

(14) "Clubhouse" means a community-based program that provides rehabilitation services and is licensed or certified by the department.

(15) "Community behavioral health program" means all expenditures, services, activities, or programs, including reasonable administration and overhead, designed and conducted to prevent or treat substance use disorder, mental illness, or both in the community behavioral health system.

(16) "Community behavioral health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders, substance use disorders, or both, as defined under RCW 71.05.020 and receive funding from public sources.

(17) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available (~~twenty-four~~) 24 hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally or behaviorally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by behavioral health administrative services organizations.

(18) "Community-based crisis team" means a team that is part of an emergency medical services agency, a fire service agency, a public health agency, a medical facility, a nonprofit crisis response provider, or a city or county government entity, other than a law enforcement agency, that provides the on-site community-based interventions of a mobile rapid response crisis team for individuals who are experiencing a behavioral health crisis.

(19) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(20) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a behavioral health administrative services organization, or two or more of the county authorities specified in this subsection which have entered into an agreement to establish a behavioral health administrative services organization.

(21) "Crisis stabilization services" means services such as 23-hour crisis relief centers, crisis stabilization units, short-term respite facilities, peer-run respite services, and same-day walk-in behavioral health services, including within the overall crisis system components that operate like hospital emergency departments that accept all walk-ins, and ambulance, fire, and police drop-offs, or determine the need for involuntary hospitalization of an individual.

(22) "Crisis stabilization unit" has the same meaning as under RCW 71.05.020.

(23) "Department" means the department of health.

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(24) "Designated 988 contact hub" means a state-designated contact center that streamlines clinical interventions and access to resources for people experiencing a behavioral health crisis and participates in the national suicide prevention lifeline network to respond to statewide or regional 988 contacts that meets the requirements of RCW 71.24.890.

(25) "Designated crisis responder" has the same meaning as in RCW 71.05.020.

(26) "Director" means the director of the authority.

(27) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(28) "Early adopter" means a regional service area for which all of the county authorities have requested that the authority purchase medical and behavioral health services through a managed care health system as defined under RCW 71.24.380(7).

(29) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (30) of this section.

(30) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(31) "First responders" includes ambulance, fire, mobile rapid response crisis team, coresponder team, designated crisis responder, fire department mobile integrated health team, community assistance referral and education services program under RCW 35.21.930, and law enforcement personnel.

(32) "Immediate jeopardy" means a situation in which the licensed or certified behavioral health agency's noncompliance with one or more statutory or regulatory requirements has placed the health and safety of patients in its care at risk for serious injury, serious harm, serious impairment, or death.

(33) "Indian health care provider" means a health care program operated by the Indian health service or by a tribe, tribal organization, or urban Indian organization as those terms are defined in the Indian health care improvement act (25 U.S.C. Sec. 1603).

~~((33))~~ (34) "Intensive behavioral health treatment facility" means a community-based specialized residential treatment facility for individuals with behavioral health conditions, including individuals discharging from or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment under chapter 71.05 RCW, but whose care needs cannot be met in other community-based placement settings.

~~((34))~~ (35) "Licensed or certified behavioral health agency" means:

(a) An entity licensed or certified according to this chapter or chapter 71.05 RCW;

(b) An entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health

accrediting body recognized and having a current agreement with the department; or

(c) An entity with a tribal attestation that it meets state minimum standards for a licensed or certified behavioral health agency.

~~((35))~~ (36) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

~~((36))~~ (37) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ~~((ninety))~~ 90 days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

~~((37))~~ (38) "Managed care organization" means an organization, having a certificate of authority or certificate of registration from the office of the insurance commissioner, that contracts with the authority under a comprehensive risk contract to provide prepaid health care services to enrollees under the authority's managed care programs under chapter 74.09 RCW.

~~((38))~~ (39) "Mental health peer-run respite center" means a peer-run program to serve individuals in need of voluntary, short-term, noncrisis services that focus on recovery and wellness.

~~((39))~~ (40) Mental health "treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department of social and health services or the authority, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, or by treatment facilities. "Treatment records" do not include notes or records maintained for personal use by a person providing treatment services for the entities listed in this subsection, or a treatment facility if the notes or records are not available to others.

~~((40))~~ (41) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (3), (13), ~~((48))~~ (49), and ~~((49))~~ (50) of this section.

~~((41))~~ (42) "Mobile rapid response crisis team" means a team that provides professional on-site community-based intervention such as outreach, de-escalation, stabilization, resource connection, and follow-up support for individuals who are experiencing a behavioral health crisis, that shall include certified peer counselors as a best practice to the extent practicable based on workforce availability, and that meets standards for response times established by the authority.

~~((42))~~ (43) "Recovery" means a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.

~~((43))~~ (44) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (30) of this section but does not meet the full criteria for evidence-based.

~~((44))~~ (45) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill,

children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, residential treatment facilities, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

~~((45))~~ (46) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

~~((46))~~ (47) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined by a behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, ~~((twenty-four))~~ 24 hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated crisis responders, evaluation and treatment facilities, and others as determined by the behavioral health administrative services organization or managed care organization, as applicable.

~~((47))~~ (48) "Secretary" means the secretary of the department of health.

~~((48))~~ (49) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

~~((49))~~ (50) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health administrative services organization or managed care organization, if applicable, to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or

conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, ~~((psychiatric))~~ behavioral health hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

~~((50))~~ (51) "State minimum standards" means minimum requirements established by rules adopted and necessary to implement this chapter by:

(a) The authority for:

(i) Delivery of mental health and substance use disorder services; and

(ii) Community support services and resource management services;

(b) The department of health for:

(i) Licensed or certified behavioral health agencies for the purpose of providing mental health or substance use disorder programs and services, or both;

(ii) Licensed behavioral health providers for the provision of mental health or substance use disorder services, or both; and

(iii) Residential services.

~~((51))~~ (52) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

~~((52))~~ (53) "Tribe," for the purposes of this section, means a federally recognized Indian tribe.

Sec. 26. RCW 71.24.037 and 2023 c 454 s 2 are each amended to read as follows:

(1) The secretary shall license or certify any agency or facility that: (a) Submits payment of the fee established under RCW 43.70.110 and 43.70.250; and (b) submits a complete application that demonstrates the ability to comply with requirements for operating and maintaining an agency or facility in statute or rule ~~((and (c) successfully completes the prelicensure inspection requirement))~~.

(2) The secretary shall establish by rule minimum standards for licensed or certified behavioral health agencies that must, at a minimum, establish: (a) Qualifications for staff providing services directly to persons with mental disorders, substance use disorders, or both; (b) the intended result of each service; and (c) the rights and responsibilities of persons receiving behavioral health services pursuant to this chapter and chapters 71.34 and ~~((chapter))~~ 71.05 RCW. The secretary shall provide for deeming of licensed or certified behavioral health agencies as meeting state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department.

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~~(3) ((The department shall review reports or other information alleging a failure to comply with this chapter or the standards and rules adopted under this chapter and may initiate investigations and enforcement actions based on those reports.~~

~~(4) The department shall conduct inspections of agencies and facilities, including reviews of records and documents required to be maintained under this chapter or rules adopted under this chapter.~~

~~(5) The department may suspend, revoke, limit, restrict, or modify an approval, or refuse to grant approval, for failure to meet the provisions of this chapter, or the standards adopted under this chapter. RCW 43.70.115 governs notice of a license or certification denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding.~~

~~(6)) No licensed or certified behavioral health agency may advertise or represent itself as a licensed or certified behavioral health agency if approval has not been granted or has been denied, suspended, revoked, or canceled.~~

~~((7)) (4) Licensure or certification as a behavioral health agency is effective for one calendar year from the date of issuance of the license or certification. The license or certification must specify the types of services provided by the behavioral health agency that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.~~

~~((8)) (5) Licensure or certification as a licensed or certified behavioral health agency must specify the types of services provided that meet the standards adopted under this chapter. Renewal of a license or certification must be made in accordance with this section for initial approval and in accordance with the standards set forth in rules adopted by the secretary.~~

~~((9)) (6) The department shall develop a process by which a provider may obtain dual licensure as an evaluation and treatment facility and secure withdrawal management and stabilization facility.~~

~~((10)) (7) Licensed or certified behavioral health agencies may not provide types of services for which the licensed or certified behavioral health agency has not been certified. Licensed or certified behavioral health agencies may provide services for which approval has been sought and is pending, if approval for the services has not been previously revoked or denied.~~

~~((11) The department periodically shall inspect licensed or certified behavioral health agencies at reasonable times and in a reasonable manner.~~

~~(12) Upon petition of the department and after a hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the department authorizing him or her to enter and inspect at reasonable times, and examine the books and accounts of, any licensed or certified behavioral health agency refusing to consent to inspection or examination by the department or which the department has reasonable cause to believe is operating in violation of this chapter.~~

~~(13)) (8) The department shall maintain and periodically publish a current list of licensed or certified behavioral health agencies.~~

~~((14) Each licensed or certified behavioral health agency shall file with the department or the authority upon request, data, statistics, schedules, and information the department or the authority reasonably requires. A licensed or certified behavioral health agency that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may have its license or certification revoked or suspended.~~

~~(15) The authority shall use the data provided in subsection (14) of this section to evaluate each program that admits children to inpatient substance use disorder treatment upon application of their parents. The evaluation must be done at least once every twelve months. In addition, the authority shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into substance use disorder treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.~~

~~(16) Any settlement agreement entered into between the department and licensed or certified behavioral health agencies to resolve administrative complaints, license or certification violations, license or certification suspensions, or license or certification revocations may not reduce the number of violations reported by the department unless the department concludes, based on evidence gathered by inspectors, that the licensed or certified behavioral health agency did not commit one or more of the violations.~~

~~(17) In cases in which a behavioral health agency that is in violation of licensing or certification standards attempts to transfer or sell the behavioral health agency to a family member, the transfer or sale may only be made for the purpose of remedying license or certification violations and achieving full compliance with the terms of the license or certification. Transfers or sales to family members are prohibited in cases in which the purpose of the transfer or sale is to avoid liability or reset the number of license or certification violations found before the transfer or sale. If the department finds that the owner intends to transfer or sell, or has completed the transfer or sale of, ownership of the behavioral health agency to a family member solely for the purpose of resetting the number of violations found before the transfer or sale, the department may not renew the behavioral health agency's license or certification or issue a new license or certification to the behavioral health service provider.~~

~~(18) Every licensed or certified outpatient behavioral health agency shall display the 988 crisis hotline number in common areas of the premises and include the number as a calling option on any phone message for persons calling the agency after business hours.~~

~~(19) Every licensed or certified inpatient or residential behavioral health agency must include the 988 crisis hotline number in the discharge summary provided to individuals being discharged from inpatient or residential services.)~~

NEW SECTION. Sec. 27. A new section is added to chapter 71.24 RCW to read as follows:

(1) The department shall review reports or other information alleging a failure to comply with this chapter or the standards and rules adopted under this chapter and may initiate investigations and enforcement actions based on those reports.

(2) The department shall conduct inspections of licensed or certified behavioral health agencies, including reviews of records and documents required to be maintained under this chapter or rules adopted under this chapter.

(3) Each licensed or certified behavioral health agency shall file with the department or the authority upon request data, statistics, schedules, medical records, and other information the department or the authority reasonably requires. A licensed or certified behavioral health agency that without good cause fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent returns thereof, may have its license or certification revoked or suspended.

(4) The authority shall use the data provided in subsection (3) of this section to evaluate each program that admits children to inpatient substance use disorder treatment upon application of

their parents. The evaluation shall be done at least once every 12 months. In addition, the authority shall randomly select and review the information on individual children who are admitted on application of the child's parent for the purpose of determining whether the child was appropriately placed into substance use disorder treatment based on an objective evaluation of the child's condition and the outcome of the child's treatment.

(5) Any settlement agreement entered into between the department and licensed or certified behavioral health agencies to resolve administrative complaints, license or certification violations, license or certification suspensions, or license or certification revocations may not reduce the number of violations reported by the department unless the department concludes, based on evidence gathered by inspectors, that the licensed or certified behavioral health agency did not commit one or more of the violations.

(6) In cases in which a licensed or certified behavioral health agency that is in violation of licensing or certification standards attempts to transfer or sell the behavioral health agency to a family member, the transfer or sale may only be made for the purpose of remedying license or certification violations and achieving full compliance with the terms of the license or certification. Transfers or sales to family members are prohibited in cases in which the purpose of the transfer or sale is to avoid liability or reset the number of license or certification violations found before the transfer or sale. If the department finds that the owner intends to transfer or sell, or has completed the transfer or sale of, ownership of the behavioral health agency to a family member solely for the purpose of resetting the number of violations found before the transfer or sale, the department may not renew the behavioral health agency's license or certification or issue a new license or certification to the behavioral health provider.

(7) In any case in which the department finds that a licensed or certified behavioral health agency has failed or refused to comply with the requirements of this chapter or the standards or rules adopted under this chapter, the department may take one or more of the actions identified in this section, except as otherwise limited in this section.

(a) When the department determines the licensed or certified behavioral health agency has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the licensed or certified behavioral health agency failed to correct noncompliance with a statute or rule by a date established or agreed to by the department, the department may impose reasonable conditions on a license. Conditions may include correction within a specified amount of time, training, or hiring a department-approved consultant if the licensed or certified behavioral health agency cannot demonstrate to the department that it has access to sufficient internal expertise.

(b)(i) In accordance with the department's authority under RCW 43.70.095, the department may assess a civil fine of up to \$3,000 per violation on a licensed or certified behavioral health agency when the department determines the licensed or certified behavioral health agency has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the licensed or certified behavioral health agency failed to correct noncompliance with a statute or rule by a date established or agreed to by the department.

(ii) Proceeds from these fines may only be used by the department to provide training or technical assistance to licensed or certified behavioral health agencies and to offset costs associated with licensing, certification, or enforcement of behavioral health agencies.

(iii) The department shall adopt in rules under this chapter specific fine amounts in relation to the severity of the noncompliance and at an adequate level to be a deterrent to future noncompliance.

(iv) If a licensee is aggrieved by the department's action of assessing civil fines, the licensee has the right to appeal under RCW 43.70.095.

(c) The department may suspend new intake or admission of a specific category or categories of individuals receiving behavioral health services as related to the violation by imposing a limited stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop placement, the department shall provide a licensed or certified behavioral health agency written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy, and the licensed or certified behavioral health agency shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop placement.

(ii) When the department imposes a limited stop placement, the licensed or certified behavioral health agency may not accept any new individuals in the category or categories subject to the limited stop placement until the limited stop placement is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the licensed or certified behavioral health agency if more than five business days is needed to verify the violation necessitating the limited stop placement has been corrected.

(iv) The limited stop placement shall be terminated when:

(A) The department verifies the violation necessitating the limited stop placement has been corrected or the department determines that the licensed or certified behavioral health agency has taken intermediate action to address the immediate jeopardy; and

(B) The licensed or certified behavioral health agency establishes the ability to maintain correction of the violation previously found deficient.

(d) The department may suspend new intake or admission of individuals receiving behavioral health services as related to the violation by imposing a stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of individuals.

(i) Prior to imposing a stop placement, the department shall provide a licensed or certified behavioral health agency written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The licensed or certified behavioral health agency shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute an immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the stop placement.

(ii) When the department imposes a stop placement, the licensed or certified behavioral health agency may not accept any

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new individuals receiving behavioral health services until the stop placement is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the licensed or certified behavioral health agency if more than five business days is needed to verify the violation necessitating the stop placement has been corrected.

(iv) The stop placement shall be terminated when:

(A) The department verifies the violation necessitating the stop placement has been corrected or the department determines that the licensed or certified behavioral health agency has taken intermediate action to address the immediate jeopardy; and

(B) The licensed or certified behavioral health agency establishes the ability to maintain correction of the violation previously found deficient.

(e) The department may suspend a specific category or categories of behavioral health services as related to the violation by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop service, the department shall provide a licensed or certified behavioral health agency written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The licensed or certified behavioral health agency shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop service.

(ii) When the department imposes a limited stop service, the licensed or certified behavioral health agency may not provide the services in the category or categories subject to the limited stop service to any new or existing individuals, unless otherwise allowed by the department, until the limited stop service is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the licensed or certified behavioral health agency if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(iv) The limited stop service shall be terminated when:

(A) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the licensed or certified behavioral health agency has taken intermediate action to address the immediate jeopardy; and

(B) The licensed or certified behavioral health agency establishes the ability to maintain correction of the violation previously found deficient.

(f) The department may suspend, revoke, or refuse to renew a license.

(8)(a) Except as otherwise provided, RCW 43.70.115 governs notice of the imposition of conditions on a license, a limited stop placement, stop placement, limited stop service, or the suspension, revocation, or refusal to renew a license and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, include a copy of the department's notice, be served on and received by the department within 28 days of the licensee's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(b) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop placement, stop placement, limited stop service, or the suspension of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(i) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(ii) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate suspension or immediate imposition of conditions.

(iii) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

(iv) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(v) If the secretary sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

(9) When the department determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the department's investigation of such an alleged violation, the department may impose an immediate limited stop placement, immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension.

(a) When the department imposes an immediate limited stop placement, immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate limited stop placement, immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate. At the show cause hearing the department has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate limited stop placement, immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that

supports the department's immediate action for failure to cooperate.

(c) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that the licensee cooperated with the department's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(d) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

Sec. 28. RCW 70.170.020 and 2022 c 197 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Department" means department of health.

(2) "Hospital" means any health care institution which is required to qualify for a license under RCW 70.41.020(8); or as a ~~(psychiatric)~~ behavioral health hospital under chapter 71.12 RCW.

(3) "Secretary" means secretary of health.

(4) "Charity care" means medically necessary hospital health care rendered to indigent persons when third-party coverage, if any, has been exhausted, to the extent that the persons are unable to pay for the care or to pay deductibles or coinsurance amounts required by a third-party payer, as determined by the department.

(5) "Indigent persons" are those patients or their guarantors who qualify for charity care pursuant to RCW 70.170.060(5) based on the federal poverty level, adjusted for family size, and who have exhausted any third-party coverage.

(6) "Third-party coverage" means an obligation on the part of an insurance company, health care service contractor, health maintenance organization, group health plan, government program, tribal health benefits, or health care sharing ministry as defined in 26 U.S.C. Sec. 5000A to pay for the care of covered patients and services, and may include settlements, judgments, or awards actually received related to the negligent acts of others which have resulted in the medical condition for which the patient has received hospital health care service. The pendency of such settlements, judgments, or awards must not stay hospital obligations to consider an eligible patient for charity care.

(7) "Special studies" means studies which have not been funded through the department's biennial or other legislative appropriations.

Sec. 29. RCW 18.64.005 and 2022 c 240 s 15 are each amended to read as follows:

The commission shall:

(1) Regulate the practice of pharmacy and enforce all laws placed under its jurisdiction;

(2) Prepare or determine the nature of, and supervise the grading of, examinations for applicants for pharmacists' licenses;

(3) Establish the qualifications for licensure of pharmacists or pharmacy interns;

(4) Conduct hearings for the revocation or suspension of licenses, permits, registrations, certificates, or any other authority to practice granted by the commission, which hearings may also be conducted by an administrative law judge appointed under chapter 34.12 RCW or a presiding officer designated by the commission. The commission may authorize the secretary, or their designee, to serve as the presiding officer for any disciplinary proceedings of the commission (~~authorized under~~

~~this chapter~~). The presiding officer shall not vote on or make any final decision in cases pertaining to standards of practice or where clinical expertise is necessary. All functions performed by the presiding officer shall be subject to chapter 34.05 RCW;

(5) Issue subpoenas and administer oaths in connection with any hearing, or disciplinary proceeding held under this chapter or any other chapter assigned to the commission;

(6) Assist the regularly constituted enforcement agencies of this state in enforcing all laws pertaining to drugs, controlled substances, and the practice of pharmacy, or any other laws or rules under its jurisdiction;

(7) Promulgate rules for the dispensing, distribution, wholesaling, and manufacturing of drugs and devices and the practice of pharmacy for the protection and promotion of the public health, safety, and welfare. Violation of any such rules shall constitute grounds for ~~((refusal))~~ denial of an application, assessment of a civil fine, imposition of a limited stop service, imposition of reasonable conditions, suspension, ~~((or))~~ revocation, or modification of licenses or any other authority to practice issued by the commission;

(8) Adopt rules establishing and governing continuing education requirements for pharmacists and other licensees applying for renewal of licenses under this chapter;

(9) Be immune, collectively and individually, from suit in any action, civil or criminal, based upon any disciplinary proceedings or other official acts performed as members of the commission. Such immunity shall apply to employees of the department when acting in the course of disciplinary proceedings;

(10) Suggest strategies for preventing, reducing, and eliminating drug misuse, diversion, and abuse, including professional and public education, and treatment of persons misusing and abusing drugs;

(11) Conduct or encourage educational programs to be conducted to prevent the misuse, diversion, and abuse of drugs for health care practitioners and licensed or certified health care facilities;

(12) Monitor trends of drug misuse, diversion, and abuse and make periodic reports to disciplinary boards of licensed health care practitioners and education, treatment, and appropriate law enforcement agencies regarding these trends;

(13) Enter into written agreements with all other state and federal agencies with any responsibility for controlling drug misuse, diversion, or abuse and with health maintenance organizations, health care service contractors, and health care providers to assist and promote coordination of agencies responsible for ensuring compliance with controlled substances laws and to monitor observance of these laws and cooperation between these agencies. The department of social and health services, the department of labor and industries, and any other state agency including licensure disciplinary boards, shall refer all apparent instances of over-prescribing by practitioners and all apparent instances of legend drug overuse to the department. The department shall also encourage such referral by health maintenance organizations, health service contractors, and health care providers;

(14) Whenever the workload of the commission requires, request that the secretary appoint pro tempore members. While serving as members pro tempore persons have all the powers, duties, and immunities, and are entitled to the emoluments, including travel expenses, of the commission.

Sec. 30. RCW 18.64.011 and 2021 c 78 s 1 are each amended to read as follows:

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

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(1) "Administer" means the direct application of a drug or device, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject.

(2) "Business licensing system" means the mechanism established by chapter 19.02 RCW by which business licenses, endorsed for individual state-issued licenses, are issued and renewed utilizing a business license application and a business license expiration date common to each renewable license endorsement.

(3) "Chart order" means a lawful order for a drug or device entered on the chart or medical record of an inpatient or resident of an institutional facility by a practitioner or his or her designated agent.

(4) "Closed door long-term care pharmacy" means a pharmacy that provides pharmaceutical care to a defined and exclusive group of patients who have access to the services of the pharmacy because they are treated by or have an affiliation with a long-term care facility or hospice program, and that is not a retailer of goods to the general public.

(5) "Commission" means the pharmacy quality assurance commission.

(6) "Compounding" means the act of combining two or more ingredients in the preparation of a prescription. Reconstitution and mixing of (a) sterile products according to federal food and drug administration-approved labeling does not constitute compounding if prepared pursuant to a prescription and administered immediately or in accordance with package labeling, and (b) nonsterile products according to federal food and drug administration-approved labeling does not constitute compounding if prepared pursuant to a prescription.

(7) "Controlled substance" means a drug or substance, or an immediate precursor of such drug or substance, so designated under or pursuant to the provisions of chapter 69.50 RCW.

(8) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a drug or device, whether or not there is an agency relationship.

(9) "Department" means the department of health.

(10) "Device" means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended (a) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals, or (b) to affect the structure or any function of the body of human beings or other animals.

(11) "Dispense" means the interpretation of a prescription or order for a drug, biological, or device and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(12) "Distribute" means the delivery of a drug or device other than by administering or dispensing.

(13) "Drug" and "devices" do not include surgical or dental instruments or laboratory materials, gas and oxygen, therapy equipment, X-ray apparatus or therapeutic equipment, their component parts or accessories, or equipment, instruments, apparatus, or contrivances used to render such articles effective in medical, surgical, or dental treatment, or for use or consumption in or for mechanical, industrial, manufacturing, or scientific applications or purposes. "Drug" also does not include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended, nor medicated feed intended for and used exclusively as a feed for animals other than human beings.

(14) "Drugs" means:

(a) Articles recognized in the official United States pharmacopoeia or the official homeopathic pharmacopoeia of the United States;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals;

(c) Substances (other than food) intended to affect the structure or any function of the body of human beings or other animals; or

(d) Substances intended for use as a component of any substances specified in (a), (b), or (c) of this subsection, but not including devices or their component parts or accessories.

(15) "Health care entity" means an organization that provides health care services in a setting that is not otherwise licensed by the state to acquire or possess legend drugs. Health care entity includes a freestanding outpatient surgery center, a residential treatment facility, and a freestanding cardiac care center. "Health care entity" does not include an individual practitioner's office or a multipractitioner clinic, regardless of ownership, unless the owner elects licensure as a health care entity. "Health care entity" also does not include an individual practitioner's office or multipractitioner clinic identified by a hospital on a pharmacy application or renewal pursuant to RCW 18.64.043.

(16) "Hospice program" means a hospice program certified or paid by medicare under Title XVIII of the federal social security act, or a hospice program licensed under chapter 70.127 RCW.

(17) "Institutional facility" means any organization whose primary purpose is to provide a physical environment for patients to obtain health care services including, but not limited to, services in a hospital, long-term care facility, hospice program, mental health facility, drug abuse treatment center, residential habilitation center, or a local, state, or federal correction facility.

(18) "Labeling" means the process of preparing and affixing a label to any drug or device container. The label must include all information required by current federal and state law and pharmacy rules.

(19) "Legend drugs" means any drugs which are required by any applicable federal or state law or regulation to be dispensed on prescription only or are restricted to use by practitioners only.

(20) "Long-term care facility" means a nursing home licensed under chapter 18.51 RCW, an assisted living facility licensed under chapter 18.20 RCW, or an adult family home licensed under chapter 70.128 RCW.

(21) "Manufacture" means the production, preparation, propagation, compounding, or processing of a drug or other substance or device or the packaging or repackaging of such substance or device, or the labeling or relabeling of the commercial container of such substance or device, but does not include the activities of a practitioner who, as an incident to his or her administration or dispensing such substance or device in the course of his or her professional practice, personally prepares, compounds, packages, or labels such substance or device. "Manufacture" includes the distribution of a licensed pharmacy compounded drug product to other state licensed persons or commercial entities for subsequent resale or distribution, unless a specific product item has approval of the commission. The term does not include:

(a) The activities of a licensed pharmacy that compounds a product on or in anticipation of an order of a licensed practitioner for use in the course of their professional practice to administer to patients, either personally or under their direct supervision;

(b) The practice of a licensed pharmacy when repackaging commercially available medication in small, reasonable quantities for a practitioner legally authorized to prescribe the medication for office use only;

(c) The distribution of a drug product that has been compounded by a licensed pharmacy to other appropriately licensed entities under common ownership or control of the facility in which the compounding takes place; or

(d) The delivery of finished and appropriately labeled compounded products dispensed pursuant to a valid prescription to alternate delivery locations, other than the patient's residence, when requested by the patient, or the prescriber to administer to the patient, or to another licensed pharmacy to dispense to the patient.

(22) "Manufacturer" means a person, corporation, or other entity engaged in the manufacture of drugs or devices.

(23) "Nonlegend" or "nonprescription" drugs means any drugs which may be lawfully sold without a prescription.

(24) "Person" means an individual, corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(25) "Pharmacist" means a person duly licensed by the commission to engage in the practice of pharmacy.

(26) "Pharmacy" means every place properly licensed by the commission where the practice of pharmacy is conducted.

(27) "Poison" does not include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended.

(28) "Practice of pharmacy" includes the practice of and responsibility for: Interpreting prescription orders; the compounding, dispensing, labeling, administering, and distributing of drugs and devices; the monitoring of drug therapy and use; the initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved for his or her practice by a practitioner authorized to prescribe drugs; the participating in drug utilization reviews and drug product selection; the proper and safe storing and distributing of drugs and devices and maintenance of proper records thereof; the providing of information on legend drugs which may include, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices.

(29) "Practitioner" means a physician, dentist, veterinarian, nurse, or other person duly authorized by law or rule in the state of Washington to prescribe drugs.

(30) "Prescription" means an order for drugs or devices issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe drugs or devices in the course of his or her professional practice for a legitimate medical purpose.

(31) "Secretary" means the secretary of health or the secretary's designee.

(32) "Shared pharmacy services" means a system that allows a participating pharmacist or pharmacy pursuant to a request from another participating pharmacist or pharmacy to process or fill a prescription or drug order, which may include but is not necessarily limited to preparing, packaging, labeling, data entry, compounding for specific patients, dispensing, performing drug utilization reviews, conducting claims adjudication, obtaining refill authorizations, reviewing therapeutic interventions, or reviewing chart orders.

(33) "Wholesaler" means a corporation, individual, or other entity which buys drugs or devices for resale and distribution to corporations, individuals, or entities other than consumers.

(34) "Directed plan of correction" means a plan devised by the commission that includes specific actions that must be taken to correct identified unresolved deficiencies with time frames to complete them.

(35) "Immediate jeopardy" means a situation in which a licensee's noncompliance with one or more statutory or regulatory requirements has placed the health and safety of individuals or

animals at risk for serious injury, serious harm, serious impairment, or death.

(36) "License," "licensing," and "licensure" shall be deemed equivalent to the terms "approval," "credential," "certificate," "certification," "permit," and "registration" and an "exemption" issued under chapter 69.50 RCW.

(37) "Plan of correction" means a proposal devised by the applicant or licensee that includes specific actions that must be taken to correct identified unresolved deficiencies with the time frames to complete them.

(38) "Statement of deficiency" means a written statement of the deficiencies prepared by the commission, or its designee, identifying one or more violations of law. The report clearly identifies the specific law or rule that has been violated along with a description of the reasons for noncompliance.

NEW SECTION. Sec. 31. A new section is added to chapter 18.64 RCW to read as follows:

This section governs the denial of an application for a license or the suspension, revocation, or modification of a license issued by the commission. This section does not govern actions taken under chapter 18.130 RCW.

(1) The commission shall give written notice of the denial of an application for a license to the applicant or its agent. The form, contents, and service of the notice shall comply with this chapter and the procedural rules adopted by the commission.

(2) The commission shall give written notice of revocation, suspension, or modification of a license to the licensee or its agent. The form, contents, and service of the notice shall comply with this chapter and the procedural rules adopted by the commission.

(3) Except as otherwise provided in this chapter, revocation, suspension, or modification is effective 28 days after the licensee or the agent receives the notice.

(a) The commission may make the date the action is effective later than 28 days after receipt. If the commission does so, it shall state the effective date in the written notice given to the licensee or its agent.

(b) The commission may make the date the action is effective sooner than 28 days after receipt when necessary to protect the public health, safety, or welfare. When the commission does so, it shall state the effective date and the reasons supporting the effective date in the written notice given to the licensee or its agent.

(4) Except for licensees suspended for noncompliance with a child support order under chapter 74.20A RCW, a license applicant or licensee who is aggrieved by a commission denial, revocation, suspension, or modification has the right to an adjudicative proceeding. The proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The form, contents, and service of the application for an adjudicative hearing must comply with this chapter and with the procedural rules adopted by the commission and must be served on and received by the commission within 28 days of the applicant or licensee receiving the notice.

(5)(a) If the commission gives a licensee 28 or more days' notice of revocation, suspension, or modification and the licensee files an appeal before its effective date, the commission shall not implement the adverse action until the final order has been entered. The commission may implement part or all of the adverse action while the proceedings are pending if the appellant causes an unreasonable delay in the proceeding, if the circumstances change so that implementation is in the public interest, or for other good cause.

(b) If the commission gives a licensee less than 28 days' notice of revocation, suspension, or modification and the licensee timely

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files a sufficient appeal, the commission may implement the adverse action on the effective date stated in the notice. The commission may stay implementation of part or all of the adverse action while the proceedings are pending if staying implementation is in the public interest or for other good cause.

(6) The commission may accept the surrender of the licensee's license. A licensee whose surrender has been accepted may not petition for reinstatement of its surrendered license.

NEW SECTION. Sec. 32. A new section is added to chapter 18.64 RCW to read as follows:

This section governs the assessment of a civil fine against a licensee issued by the commission. This section does not govern actions taken under chapter 18.130 RCW.

(1) The commission shall give written notice to the licensee or its agent against whom it assesses a civil fine. The form, contents, and service of the notice shall comply with this chapter and the procedural rules adopted by the commission.

(2) The civil fine is due and payable 28 days after receipt by the licensee or its agent. The commission may make the date the fine is due later than 28 days after receipt by the licensee or its agent. When the commission does so, it shall state the date the fine is due in the written notice given to the licensee against whom it assesses the fine.

(3) The licensee against whom the commission assesses a civil fine has the right to an adjudicative proceeding. The proceeding is governed by the administrative procedure act, chapter 34.05 RCW. The form, contents, and service of the application for an adjudicative hearing must comply with this chapter and the procedural rules adopted by the commission and must be served on and received by the commission within 28 days of the licensee receiving the notice.

NEW SECTION. Sec. 33. A new section is added to chapter 18.64 RCW to read as follows:

This section does not govern actions taken under chapter 18.130 RCW.

(1) The commission is authorized to take any of the actions identified in this section against licenses, registrations, permits, or other credentials or approvals issued by the commission under this chapter and chapters 18.64A, 69.38, 69.41, 69.43, 69.45, and 69.50 RCW in any case in which it finds the licensee has failed or refused to comply with any state or federal statute or administrative rule regulating the license in question including, but not limited to, Title 69 RCW, this chapter, chapter 18.64A RCW, and administrative rules adopted by the commission, except as otherwise limited in this section.

(a) When the commission determines a licensee has previously been subject to an enforcement action for the same or similar type of violation of the same or similar statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the licensee failed to correct noncompliance with a statute or rule by a date established or agreed to by the commission, the commission may impose reasonable conditions on a license. Conditions may include correction within a specified amount of time, a directed plan of correction, training, or hiring a commission-approved consultant if the licensee cannot demonstrate to the commission that it has access to sufficient internal expertise. If the commission determines the violations constitute immediate jeopardy, the conditions may be imposed immediately in accordance with subsection (2)(b) of this section.

(b)(i) In accordance with the commission's authority under section 32 of this act, the commission may assess a civil fine of up to \$10,000 per violation, not to exceed a total fine of \$1,000,000, on a licensee when the commission determines the licensee has previously been subject to an enforcement action for

the same or similar type of violation of the same or similar statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when a licensee failed to correct noncompliance with a statute or rule by a date established or agreed to by the commission.

(ii) Proceeds from these fines may only be used by the commission to provide training or technical assistance to licensees and to offset costs associated with licensing and enforcement.

(iii) The commission shall adopt in rules under this chapter to establish specific fine amounts in relation to:

(A) The severity of the noncompliance and at an adequate level to be a deterrent to future noncompliance; and

(B) The operation size of the licensee.

(iv) If a licensee is aggrieved by the commission's action of assessing civil fines, the licensee has the right to appeal under section 32 of this act.

(c) The commission may restrict the ability of a licensee to engage in a specific service related to a violation by imposing a limited stop service. This may only be done if the commission finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop service, the commission shall provide a licensee written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The licensee shall have 24 hours from notification to develop and implement a commission-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the commission as having been corrected within the same 24-hour period, the commission may issue the limited stop service.

(ii) When the commission imposes a limited stop service, the licensee may not provide the services subject to the limited stop service, unless otherwise allowed by the commission, until the limited stop service order is terminated.

(iii) The commission shall conduct a follow-up inspection within five business days or within the time period requested by the licensee if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(iv) The limited stop service shall be terminated when:

(A) The commission verifies the violation necessitating the limited stop service has been corrected or the commission determines that the licensee has taken intermediate action to address the immediate jeopardy; and

(B) The licensee establishes the ability to maintain correction of the violation previously found deficient.

(d) The commission may deny an application, or suspend, revoke, or modify a license.

(2)(a) Except as otherwise provided, sections 31 and 32 of this act govern notices of actions taken by the commission under subsection (1) of this section and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW.

(b) When the commission determines a licensee's noncompliance results in immediate jeopardy, the commission may make the imposition of conditions on a licensee, a limited stop service, or the suspension or modification of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(i) When the commission makes the suspension or modification of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a hearing panel of the commission within 14 days of making the

request. The licensee must request the show cause hearing within 28 days of receipt of the notice. At the show cause hearing the commission has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(ii) At the show cause hearing, the commission may consider the notice and documents supporting the immediate imposition of conditions on a licensee, or the suspension or modification of a license, and the licensee's response, and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the commission shall provide the licensee with all documentation that supports the commission's immediate imposition of conditions on a licensee or suspension or modification of a license.

(iii) If the hearing panel of the commission determines there is no immediate jeopardy, the hearing panel of the commission may overturn the immediate suspension or modification of the license or immediate imposition of conditions.

(iv) If the hearing panel of the commission determines there is immediate jeopardy, the immediate suspension or modification of the license or immediate imposition of conditions shall remain in effect pending a full hearing.

(v) If the commission sustains the immediate suspension or modification of the license or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits. A full hearing must be provided within 90 days of the licensee's request, unless otherwise stipulated by the parties.

(3) The commission may take action under subsection (1) of this section against a nonresident pharmacy for failure to comply with any requirement of RCW 18.64.350 through 18.64.400, conduct that caused injury to a resident of this state, or conduct that resulted in adverse action against the nonresident pharmacy by a federal agency or the regulatory or licensing agency in the state in which the nonresident pharmacy is located.

(4) When the commission determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the commission's investigation of such an alleged violation, the commission may impose an immediate limited stop service, immediate imposition of conditions, or immediate suspension or modification of a license.

(a) When the commission imposes an immediate limited stop service, immediate imposition of conditions, or immediate suspension or modification of a license for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate limited stop service, immediate imposition of conditions, or immediate suspension or modification of a license for failure to cooperate. At the show cause hearing the commission has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the commission's investigation.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate limited stop service, immediate imposition of conditions, or immediate suspension or modification of a license for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the commission shall provide the licensee with all documentation that supports the commission's immediate action for failure to cooperate.

(c) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that

the licensee cooperated with the commission's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(d) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the commission's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the commission's action. A full hearing must be provided within 90 days of the licensee's request.

NEW SECTION. Sec. 34. A new section is added to chapter 18.64 RCW to read as follows:

This section does not govern actions taken under chapter 18.130 RCW.

(1) A licensee whose license has been suspended under this chapter may petition the commission for reinstatement after an interval as determined by the commission in the order. The commission shall hold hearings on the petition. The commission may deny the petition or may order reinstatement of the licensee's license. The commission may impose terms and conditions in the order of reinstatement.

(2) A licensee whose license has been suspended for noncompliance with a support order or visitation order under RCW 74.20A.320 may petition for reinstatement at any time by providing the commission a release issued by the department of social and health services stating that the person is in compliance with the order. If the person has continued to meet all other requirements for reinstatement during the suspension, the commission shall automatically reissue the person's license upon receipt of the release, and payment of a reinstatement fee, if any.

NEW SECTION. Sec. 35. A new section is added to chapter 18.64 RCW to read as follows:

The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice of persons required to obtain a license under this chapter.

Sec. 36. RCW 18.64.047 and 2013 c 19 s 10 are each amended to read as follows:

(1) Any itinerant vendor or any peddler of any nonprescription drug or preparation for the treatment of disease or injury, shall pay a registration fee determined by the secretary on a date to be determined by the secretary as provided in RCW 43.70.250 and 43.70.280. The department may issue a registration to such vendor on an approved application made to the department.

(2) Any itinerant vendor or peddler who shall vend or sell, or offer to sell to the public any such nonprescription drug or preparation without having registered to do so as provided in this section, is guilty of a misdemeanor and each sale or offer to sell shall constitute a separate offense.

(3) In event the registration fee remains unpaid on the date due, no renewal or new registration shall be issued except upon compliance with administrative procedures, administrative requirements, and fees determined as provided in RCW 43.70.250 and 43.70.280. This registration shall not authorize the sale of legend drugs or controlled substances.

(4) An itinerant vendor may purchase products containing any detectable quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers only from a wholesaler licensed by the department under RCW 18.64.046 or from a manufacturer licensed by the department under RCW 18.64.045. The commission shall issue a warning to an itinerant vendor who violates this subsection, and may suspend or revoke the registration of the vendor for a subsequent violation.

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(5) An itinerant vendor who has purchased products containing any detectable quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, in a suspicious transaction as defined in RCW 69.43.035, is subject to the following requirements:

(a) The itinerant vendor may not sell any quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, if the total monthly sales of these products exceed ~~((ten))~~ 10 percent of the vendor's total prior monthly sales of nonprescription drugs in March through October. In November through February, the vendor may not sell any quantity of ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, if the total monthly sales of these products exceed ~~((twenty))~~ 20 percent of the vendor's total prior monthly sales of nonprescription drugs. For purposes of this section, "monthly sales" means total dollars paid by buyers. ~~((The commission may suspend or revoke the registration of an itinerant vendor who violates this subsection.))~~

(b) The itinerant vendor shall maintain inventory records of the receipt and disposition of nonprescription drugs, utilizing existing inventory controls if an auditor or investigator can determine compliance with (a) of this subsection, and otherwise in the form and manner required by the commission. The records must be available for inspection by the commission or any law enforcement agency and must be maintained for two years. The commission may suspend or revoke the registration of an itinerant vendor who violates this subsection. For purposes of this subsection, "disposition" means the return of product to the wholesaler or distributor.

Sec. 37. RCW 18.64.165 and 2016 c 81 s 10 are each amended to read as follows:

~~((The commission shall have the power to refuse, suspend, or revoke the license of any manufacturer, wholesaler, pharmacy, shopkeeper, itinerant vendor, peddler, poison distributor, health care entity, or precursor chemical distributor.))~~ In addition to any other grounds, the commission may take action against a license issued under this chapter and chapters 18.64A, 69.38, 69.41, 69.43, 69.45, and 69.50 RCW, except nonresident pharmacies, upon proof that:

(1) The license was procured through fraud, misrepresentation, or deceit;

(2) Except as provided in RCW 9.97.020, the licensee has violated or has permitted any employee to violate any of the laws of this state or the United States relating to drugs, controlled substances, cosmetics, or nonprescription drugs, or has violated any of the rules and regulations of the commission or has been convicted of a felony.

Sec. 38. RCW 18.64A.020 and 2013 c 19 s 33 are each amended to read as follows:

(1)(a) The commission shall adopt, in accordance with chapter 34.05 RCW, rules fixing the classification and qualifications and the educational and training requirements for persons who may be employed as pharmacy technicians or who may be enrolled in any pharmacy technician training program. Such rules shall provide that:

(i) Licensed pharmacists shall supervise the training of pharmacy technicians;

(ii) Training programs shall assure the competence of pharmacy technicians to aid and assist pharmacy operations. Training programs shall consist of instruction and/or practical training; and

(iii) Pharmacy technicians shall complete continuing education requirements established in rule by the commission.

(b) Such rules may include successful completion of examinations for applicants for pharmacy technician certificates. If such examination rules are adopted, the commission shall prepare or determine the nature of, and supervise the grading of the examinations. The commission may approve an examination prepared or administered by a private testing agency or association of licensing authorities.

(2) The commission may disapprove or revoke approval of any training program for failure to conform to commission rules. In the case of the disapproval or revocation of approval of a training program by the commission, a hearing shall be conducted in accordance with ~~((RCW 18.64.160))~~ section 31 of this act, and appeal may be taken in accordance with the administrative procedure act, chapter 34.05 RCW.

Sec. 39. RCW 18.64A.060 and 2013 c 19 s 38 are each amended to read as follows:

No pharmacy licensed in this state shall utilize the services of pharmacy ancillary personnel without approval of the commission.

Any pharmacy licensed in this state may apply to the commission for permission to use the services of pharmacy ancillary personnel. The application shall be accompanied by a fee and shall comply with administrative procedures and administrative requirements set pursuant to RCW 43.70.250 and 43.70.280, shall detail the manner and extent to which the pharmacy ancillary personnel would be used and supervised, and shall provide other information in such form as the secretary may require.

The commission may approve or reject such applications. In addition, the commission may modify the proposed utilization of pharmacy ancillary personnel and approve the application as modified. Whenever it appears to the commission that pharmacy ancillary personnel are being utilized in a manner inconsistent with the approval granted, the commission may withdraw such approval. In the event a hearing is requested upon the rejection of an application, or upon the withdrawal of approval, a hearing shall be conducted in accordance with ~~((chapter 18.64 RCW, as now or hereafter amended,))~~ section 31 of this act and appeal may be taken in accordance with the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. Sec. 40. A new section is added to chapter 69.38 RCW to read as follows:

Chapter 18.64 RCW governs the denial of licenses and the discipline of persons licensed under this chapter. The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice of persons required to obtain a license under this chapter.

Sec. 41. RCW 69.45.080 and 2013 c 19 s 84 are each amended to read as follows:

(1) The manufacturer is responsible for the actions and conduct of its representatives with regard to drug samples.

~~((The commission may hold a public hearing to examine a possible violation and may require a designated representative of the manufacturer to attend.))~~

~~((3) If a manufacturer fails to comply with this chapter following notification by the commission, the commission may impose a civil penalty of up to five thousand dollars. The commission shall take no action to impose any civil penalty except pursuant to a hearing held in accordance with chapter 34.05 RCW.))~~

~~((4))~~ Chapter 18.64 RCW governs the denial of licenses and the discipline of persons registered under this chapter.

(3) Specific drug samples which are distributed in this state in violation of this chapter, following notification by the commission, shall be subject to seizure following the procedures set out in RCW 69.41.060.

NEW SECTION. Sec. 42. A new section is added to chapter 69.45 RCW to read as follows:

The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice of persons required to obtain a registration under this chapter.

Sec. 43. RCW 69.43.100 and 2013 c 19 s 74 are each amended to read as follows:

~~((The pharmacy quality assurance commission shall have the power to refuse, suspend, or revoke the permit of any manufacturer or wholesaler))~~ In addition to any other grounds, the pharmacy quality assurance commission may take action against a permit issued under this chapter upon proof that:

(1) The permit was procured through fraud, misrepresentation, or deceit;

(2) The permittee has violated or has permitted any employee to violate any of the laws of this state relating to drugs, controlled substances, cosmetics, or nonprescription drugs, or has violated any of the rules and regulations of the pharmacy quality assurance commission.

Sec. 44. RCW 69.43.140 and 2013 c 19 s 78 are each amended to read as follows:

(1) ~~((In addition to the other penalties provided for in this chapter or in chapter 18.64 RCW, the pharmacy quality assurance commission may impose a civil penalty, not to exceed ten thousand dollars for each violation, on any licensee or registrant who has failed to comply with this chapter or the rules adopted under this chapter. In the case of a continuing violation, every day the violation continues shall be considered a separate violation))~~ Chapter 18.64 RCW governs the denial of permits and the discipline of permits issued under this chapter. The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice of persons required to obtain a permit under this chapter.

(2) ~~The pharmacy quality assurance commission may waive ((the suspension or revocation of a license or registration)) action taken under chapter 18.64 RCW against a permit issued under this chapter ((18.64 RCW, or waive any civil penalty under this chapter,)) if the ((licensee or registrant)) permittee establishes that he or she acted in good faith to prevent violations of this chapter, and the violation occurred despite the licensee's or registrant's exercise of due diligence. In making such a determination, the pharmacy quality assurance commission may consider evidence that an employer trained employees on how to sell, transfer, or otherwise furnish substances specified in RCW 69.43.010(1) in accordance with applicable laws.~~

Sec. 45. RCW 69.50.302 and 2013 c 19 s 98 are each amended to read as follows:

~~((a) ((1))~~ (1) Every person who manufactures, distributes, or dispenses any controlled substance within this state or who proposes to engage in the manufacture, distribution, or dispensing of any controlled substance within this state, shall obtain annually a registration issued by the ~~((department))~~ commission in accordance with the commission's rules.

~~((b) ((2))~~ (2) A person registered by the ~~((department))~~ commission under this chapter to manufacture, distribute, dispense, or conduct research with controlled substances may possess, manufacture, distribute, dispense, or conduct research with those substances to the extent authorized by the registration and in conformity with this Article.

~~((c) ((3))~~ (3) The following persons need not register and may lawfully possess controlled substances under this chapter:

~~((1) ((a))~~ (a) An agent or employee of any registered manufacturer, distributor, or dispenser of any controlled substance if the agent or employee is acting in the usual course of business or employment. This exemption shall not include any

agent or employee distributing sample controlled substances to practitioners without an order;

~~((2) ((b))~~ (b) A common or contract carrier or warehouse operator, or an employee thereof, whose possession of any controlled substance is in the usual course of business or employment;

~~((3) ((c))~~ (c) An ultimate user or a person in possession of any controlled substance pursuant to a lawful order of a practitioner or in lawful possession of a substance included in Schedule V.

~~((4) ((4))~~ (4) The commission may waive by rule the requirement for registration of certain manufacturers, distributors, or dispensers upon finding it consistent with the public health and safety. Personal practitioners licensed or registered in the state of Washington under the respective professional licensing acts shall not be required to be registered under this chapter unless the specific exemption is denied pursuant to ~~((RCW 69.50.305))~~ sections 31 and 33 of this act for violation of any provisions of this chapter.

~~((5) ((5))~~ (5) A separate registration is required at each principal place of business or professional practice where the applicant manufactures, distributes, or dispenses controlled substances.

~~((6) ((6))~~ (6) The department, at the direction of the commission, may inspect the establishment of a registrant or applicant for registration in accordance with rules adopted by the commission.

Sec. 46. RCW 69.50.303 and 2013 c 19 s 99 are each amended to read as follows:

~~((a) ((1))~~ (1) The ~~((department))~~ commission shall register an applicant to manufacture ~~((or))~~, distribute, dispense, or conduct research with controlled substances included in RCW 69.50.204, 69.50.206, 69.50.208, 69.50.210, and 69.50.212 unless the commission determines that the issuance of that registration would be inconsistent with the public interest. In determining the public interest, the commission shall consider the following factors:

~~((1) ((a))~~ (a) maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific, research, or industrial channels;

~~((2) ((b))~~ (b) compliance with applicable state and local law;

~~((3) ((c))~~ (c) promotion of technical advances in the art of manufacturing controlled substances and the development of new substances;

~~((4) ((d))~~ (d) any convictions of the applicant under any laws of another country or federal or state laws relating to any controlled substance;

~~((5) ((e))~~ (e) past experience in the manufacture or distribution of controlled substances, and the existence in the applicant's establishment of effective controls against diversion of controlled substances into other than legitimate medical, scientific, research, or industrial channels;

~~((6) ((f))~~ (f) furnishing by the applicant of false or fraudulent material in any application filed under this chapter;

~~((7) ((g))~~ (g) suspension or revocation of the applicant's federal registration to manufacture, distribute, or dispense controlled substances as authorized by federal law; and

~~((8) ((h))~~ (h) any other factors relevant to and consistent with the public health and safety.

~~((b) ((2))~~ (2) Registration under subsection ~~((a) ((1))~~ (1) of this section does not entitle a registrant to manufacture or distribute controlled substances included in Schedule I or II other than those specified in the registration.

~~((c) ((3))~~ (3) Practitioners must be registered, or exempted under RCW 69.50.302~~((4) ((4))~~ (4), to dispense any controlled

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substances or to conduct research with controlled substances included in Schedules II through V if they are authorized to dispense or conduct research under the law of this state. The commission need not require separate registration under this Article for practitioners engaging in research with nonnarcotic substances included in Schedules II through V where the registrant is already registered under this Article in another capacity. Practitioners registered under federal law to conduct research with substances included in Schedule I may conduct research with substances included in Schedule I within this state upon furnishing the commission evidence of that federal registration.

~~((d)-(4))~~ (4) A manufacturer or distributor registered under the federal Controlled Substances Act, 21 U.S.C. Sec. 801 et seq., may submit a copy of the federal application as an application for registration as a manufacturer or distributor under this section. The commission may require a manufacturer or distributor to submit information in addition to the application for registration under the federal act.

Sec. 47. RCW 69.50.304 and 2013 c 19 s 100 are each amended to read as follows:

~~((a)-(1-A))~~ (1) This chapter and chapter 18.64 RCW govern the denial of registrations and the discipline of registrations issued under RCW 69.50.303. The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice of persons required to obtain a registration under this chapter.

(2) In addition to any other grounds, the commission may take action against the registration, or exemption from registration, under RCW 69.50.303 to manufacture, distribute, ~~((or))~~ dispense, or conduct research with a controlled substance ~~((may be suspended or revoked by the commission))~~ upon finding that the registrant has:

~~((1)-(a))~~ (a) furnished false or fraudulent material information in any application filed under this chapter;

~~((2)-(b))~~ (b) been convicted of a felony under any state or federal law relating to any controlled substance;

~~((3)-(c))~~ (c) had the registrant's federal registration suspended or revoked and is no longer authorized by federal law to manufacture, distribute, ~~((or))~~ dispense, or conduct research with controlled substances; or

~~((4)-(d))~~ (d) committed acts that would render registration under RCW 69.50.303 inconsistent with the public interest as determined under that section.

~~((b)-(2))~~ (3) The commission may limit revocation or suspension of a registration to the particular controlled substance or schedule of controlled substances, with respect to which grounds for revocation or suspension exist.

~~((e)-(3))~~ (4) If the commission suspends or revokes a registration, all controlled substances owned or possessed by the registrant at the time of suspension or the effective date of the revocation order may be placed under seal. No disposition may be made of substances under seal until the time for taking an appeal has elapsed or until all appeals have been concluded unless a court, upon application, orders the sale of perishable substances and the deposit of the proceeds of the sale with the court. Upon a revocation order becoming final, all controlled substances may be forfeited to the state.

~~((d)-(4))~~ (5) The ~~((department))~~ commission may seize or place under seal any controlled substance owned or possessed by a registrant whose registration has expired or who has ceased to practice or do business in the manner contemplated by the registration. The controlled substance must be held for the benefit of the registrant or the registrant's successor in interest. The ~~((department))~~ commission shall notify a registrant, or the registrant's successor in interest, who has any controlled

substance seized or placed under seal, of the procedures to be followed to secure the return of the controlled substance and the conditions under which it will be returned. The ~~((department))~~ commission may not dispose of any controlled substance seized or placed under seal under this subsection until the expiration of ~~((one hundred eighty))~~ 180 days after the controlled substance was seized or placed under seal. The costs incurred by the ~~((department))~~ commission in seizing, placing under seal, maintaining custody, and disposing of any controlled substance under this subsection may be recovered from the registrant, any proceeds obtained from the disposition of the controlled substance, or from both. Any balance remaining after the costs have been recovered from the proceeds of any disposition must be delivered to the registrant or the registrant's successor in interest.

~~((e)-(5))~~ (6) The ~~((department))~~ commission shall promptly notify the drug enforcement administration of all orders restricting, suspending, or revoking registration and all forfeitures of controlled substances.

Sec. 48. RCW 69.50.310 and 2013 c 19 s 104 are each amended to read as follows:

On and after September 21, 1977, a humane society and animal control agency may apply to the ~~((department))~~ commission for registration pursuant to the applicable provisions of this chapter for the sole purpose of being authorized to purchase, possess, and administer sodium pentobarbital to euthanize injured, sick, homeless, or unwanted domestic pets and animals. Any agency so registered shall not permit a person to administer sodium pentobarbital unless such person has demonstrated adequate knowledge of the potential hazards and proper techniques to be used in administering this drug.

The ~~((department))~~ commission may issue a limited registration to carry out the provisions of this section. ~~((The commission shall promulgate such rules as it deems necessary to insure strict compliance with the provisions of this section. The commission may suspend or revoke registration upon determination that the person administering sodium pentobarbital has not demonstrated adequate knowledge as herein provided. This authority is granted in addition to any other power to suspend or revoke registration as provided by law.))~~ Chapter 18.64 RCW governs the denial of licenses and the discipline of registrations issued under this chapter. The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice of persons required to obtain a registration under this chapter.

Sec. 49. RCW 69.50.320 and 2013 c 19 s 106 are each amended to read as follows:

The department of fish and wildlife may apply to the ~~((department of health))~~ commission for registration pursuant to the applicable provisions of this chapter to purchase, possess, and administer controlled substances for use in chemical capture programs. The department of fish and wildlife must not permit a person to administer controlled substances unless the person has demonstrated adequate knowledge of the potential hazards and proper techniques to be used in administering controlled substances.

The ~~((department of health))~~ commission may issue a limited registration to carry out the provisions of this section. The commission may adopt rules to ensure strict compliance with the provisions of this section. The commission, in consultation with the department of fish and wildlife, must by rule add or remove additional controlled substances for use in chemical capture programs. ~~((The))~~ Chapter 18.64 RCW governs the denial of licenses and the discipline of registrations issued under this chapter. The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice of persons required to obtain a

registration under this chapter. In addition to any other grounds, the commission ((shall)) may suspend or revoke a registration issued under this chapter upon determination that the person administering controlled substances has not demonstrated adequate knowledge as required by this section. ((This authority is granted in addition to any other power to suspend or revoke registration as provided by law.))

Sec. 50. RCW 69.41.080 and 2013 c 19 s 57 are each amended to read as follows:

Humane societies and animal control agencies registered with the ((pharmacy quality assurance)) commission under chapter 69.50 RCW and authorized to euthanize animals may purchase, possess, and administer approved legend drugs for the sole purpose of sedating animals prior to euthanasia, when necessary, and for use in chemical capture programs. For the purposes of this section, "approved legend drugs" means those legend drugs designated by the commission by rule as being approved for use by such societies and agencies for animal sedating or capture and does not include any substance regulated under chapter 69.50 RCW. Any society or agency so registered shall not permit persons to administer any legend drugs unless such person has demonstrated to the satisfaction of the commission adequate knowledge of the potential hazards involved in and the proper techniques to be used in administering the drugs.

The commission shall promulgate rules to regulate the purchase, possession, and administration of legend drugs by such societies and agencies and to insure strict compliance with the provisions of this section. Such rules shall require that the storage, inventory control, administration, and recordkeeping for approved legend drugs conform to the standards adopted by the commission under chapter 69.50 RCW to regulate the use of controlled substances by such societies and agencies. ((The)) Chapter 18.64 RCW governs the denial of licenses and the discipline of registrations issued under chapter 69.50 RCW. The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice of persons required to obtain a registration under this chapter. In addition to any other grounds, the commission may suspend or revoke a registration issued under chapter 69.50 RCW upon a determination by the commission that the person administering legend drugs has not demonstrated adequate knowledge as herein provided. ((This authority is granted in addition to any other power to suspend or revoke a registration as provided by law.))

NEW SECTION. Sec. 51. The following acts or parts of acts are each repealed:

- (1) RCW 18.64.200 (Refusal, suspension, and revocation of other licenses—Appeal procedure) and 2013 c 19 s 15, 1963 c 38 s 11, & 1909 c 213 s 11;
- (2) RCW 18.64.390 (Nonresident pharmacies—Violations—Penalties) and 2013 c 19 s 23 & 1991 c 87 s 5; and
- (3) RCW 69.50.305 (Procedure for denial, suspension, or revocation of registration) and 2013 c 19 s 101 & 1971 ex.s. c 308 s 69.50.305."

On page 1, line 2 of the title, after "tools;" strike the remainder of the title and insert "amending RCW 18.46.010, 18.46.050, 18.46.130, 70.42.010, 70.42.130, 70.42.180, 70.127.010, 70.127.170, 70.127.213, 70.230.010, 70.230.070, 71.12.710, 71.12.500, 70.38.025, 70.38.111, 70.38.260, 71.24.037, 70.170.020, 18.64.005, 18.64.011, 18.64.047, 18.64.165, 18.64A.020, 18.64A.060, 69.45.080, 69.43.100, 69.43.140, 69.50.302, 69.50.303, 69.50.304, 69.50.310, 69.50.320, and 69.41.080; reenacting and amending RCW 71.12.455 and 71.24.025; adding a new section to chapter 18.46 RCW; adding new sections to chapter 70.42 RCW; adding new sections to chapter 70.127 RCW; adding a new section to chapter 70.230

RCW; adding a new section to chapter 71.12 RCW; adding a new section to chapter 71.24 RCW; adding new sections to chapter 18.64 RCW; adding a new section to chapter 69.38 RCW; adding a new section to chapter 69.45 RCW; repealing RCW 18.64.200, 18.64.390, and 69.50.305; and prescribing penalties."

Senator Cleveland spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 485 by Senator Cleveland to Substitute Senate Bill No. 5271.

The motion by Senator Cleveland carried and striking amendment no. 485 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute Senate Bill No. 5271 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5271.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5271 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5271, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5481, by Senators Cleveland, and Pedersen

Concerning the uniform telemedicine act.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5481 was substituted for Senate Bill No. 5481 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5481, by Committee on Health & Long-Term Care (originally sponsored by Senators Cleveland and Pedersen; by request of Uniform Law Commission)

SEVENTEENTH DAY, JANUARY 24, 2024

Revised for Substitute: Concerning the uniform law commission's uniform telehealth act.

MOTION

Senator Cleveland moved that the following striking amendment no. 486 by Senator Cleveland be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. SHORT TITLE. This act may be known and cited as the uniform telehealth act.

NEW SECTION. Sec. 2. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Disciplining authority" means an entity to which a state has granted the authority to license, certify, or discipline individuals who provide health care.

(2) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(3) "Health care" means care, treatment, or a service or procedure, to maintain, monitor, diagnose, or otherwise affect an individual's physical or behavioral health, injury, or condition.

(4) "Health care practitioner" means:

(a) A physician licensed under chapter 18.71 RCW;

(b) An osteopathic physician or surgeon licensed under chapter 18.57 RCW;

(c) A podiatric physician and surgeon licensed under chapter 18.22 RCW;

(d) An advanced registered nurse practitioner licensed under chapter 18.79 RCW;

(e) A naturopath licensed under chapter 18.36A RCW;

(f) A physician assistant licensed under chapter 18.71A RCW; or

(g) A person who is otherwise authorized to practice a profession regulated under the authority of RCW 18.130.040 to provide health care in this state.

(5) "Professional practice standard" includes:

(a) A standard of care;

(b) A standard of professional ethics; and

(c) A practice requirement imposed by a disciplining authority.

(6) "Scope of practice" means the extent of a health care practitioner's authority to provide health care.

(7) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any other territory or possession subject to the jurisdiction of the United States. The term includes a federally recognized Indian tribe.

(8) "Telecommunication technology" means technology that supports communication through electronic means. The term is not limited to regulated technology or technology associated with a regulated industry.

(9) "Telehealth" includes telemedicine and means the use of synchronous or asynchronous telecommunication technology by a practitioner to provide health care to a patient at a different physical location than the practitioner.

(10) "Telehealth services" means health care provided through telehealth.

NEW SECTION. Sec. 3. SCOPE. (1) This chapter applies to the provision of telehealth services to a patient located in this state.

(2) This chapter does not apply to the provision of telehealth services to a patient located outside this state.

NEW SECTION. Sec. 4. TELEHEALTH AUTHORIZATION. (1) A health care practitioner may provide telehealth services to a patient located in this state if the services are consistent with the health care practitioner's scope of practice in this state, applicable professional practice standards in this state, and requirements and limitations of federal law and law of this state.

(2) This chapter does not authorize provision of health care otherwise regulated by federal law or law of this state, unless the provision of health care complies with the requirements, limitations, and prohibitions of the federal law or law of this state.

(3) A practitioner-patient relationship may be established through telehealth.

NEW SECTION. Sec. 5. PROFESSIONAL PRACTICE STANDARD. (1) A health care practitioner who provides telehealth services to a patient located in this state shall provide the services in compliance with the professional practice standards applicable to a health care practitioner who provides comparable in-person health care in this state. Professional practice standards and law applicable to the provision of health care in this state, including standards and law relating to prescribing medication or treatment, identity verification, documentation, informed consent, confidentiality, privacy, and security, apply to the provision of telehealth services in this state.

(2) A disciplining authority in this state shall not adopt or enforce a rule that establishes a different professional practice standard for telehealth services merely because the services are provided through telehealth or limits the telecommunication technology that may be used for telehealth services.

NEW SECTION. Sec. 6. OUT-OF-STATE HEALTH CARE PRACTITIONER. An out-of-state health care practitioner may provide telehealth services to a patient located in this state if the out-of-state health care practitioner:

(1) Holds a current license or certification required to provide health care in this state or is otherwise authorized to provide health care in this state, including through a multistate compact of which this state is a member; or

(2) Provides the telehealth services:

(a) In the form of a consultation with a health care practitioner who has a practitioner-patient relationship with the patient and who remains responsible for diagnosing and treating the patient in the state; or

(b) In the form of a specialty assessment, diagnosis, or recommendation for treatment.

NEW SECTION. Sec. 7. LOCATION OF CARE—VENUE. (1) The provision of a telehealth service under this chapter occurs at the patient's location at the time the service is provided.

(2) In a civil action arising out of a health care practitioner's provision of a telehealth service to a patient under this chapter, brought by the patient or the patient's personal representative, conservator, guardian, or a person entitled to bring a claim under the state's wrongful death statute, venue is proper in the patient's county of residence in this state or in another county authorized by law.

NEW SECTION. Sec. 8. RULE-MAKING AUTHORITY. Disciplining authorities may adopt rules to administer, enforce, implement, or interpret this chapter.

NEW SECTION. Sec. 9. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this chapter, a court shall consider the promotion of uniformity of the law among jurisdictions that enact the uniform telehealth act.

NEW SECTION. Sec. 10. Nothing in this act shall be construed to require a health carrier to reimburse for telehealth services that do not meet statutory requirements for reimbursement of telemedicine services.

Sec. 11. RCW 28B.20.830 and 2021 c 157 s 9 are each amended to read as follows:

(1) The collaborative for the advancement of ~~((telemedicine)) telehealth~~ is created to enhance the understanding and use of health services provided through ~~((telemedicine)) telehealth~~ and other similar models in Washington state. The collaborative shall be hosted by the University of Washington telehealth services and shall be comprised of one member from each of the two largest caucuses of the senate and the house of representatives, and representatives from the academic community, hospitals, clinics, and health care providers in primary care and specialty practices, carriers, and other interested parties.

(2) By July 1, 2016, the collaborative shall be convened. The collaborative shall develop recommendations on improving reimbursement and access to services, including originating site restrictions, provider to provider consultative models, and technologies and models of care not currently reimbursed; identify the existence of ~~((telemedicine)) telehealth~~ best practices, guidelines, billing requirements, and fraud prevention developed by recognized medical and ~~((telemedicine)) telehealth~~ organizations; and explore other priorities identified by members of the collaborative. After review of existing resources, the collaborative shall explore and make recommendations on whether to create a technical assistance center to support providers in implementing or expanding services delivered through ~~((telemedicine)) telehealth~~ technologies.

(3) The collaborative must submit an initial progress report by December 1, 2016, with follow-up policy reports including recommendations by December 1, 2017, December 1, 2018, and December 1, 2021. The reports shall be shared with the relevant professional associations, governing boards or commissions, and the health care committees of the legislature.

(4) The collaborative shall study store and forward technology, with a focus on:

- (a) Utilization;
 - (b) Whether store and forward technology should be paid for at parity with in-person services;
 - (c) The potential for store and forward technology to improve rural health outcomes in Washington state; and
 - (d) Ocular services.
- (5) The meetings of the board shall be open public meetings, with meeting summaries available on a web page.

(6) The collaborative must study the need for an established patient/provider relationship before providing audio-only ~~((telemedicine)) telehealth~~, including considering what types of services may be provided without an established relationship. By December 1, 2021, the collaborative must submit a report to the legislature on its recommendations regarding the need for an established relationship for audio-only ~~((telemedicine)) telehealth~~.

(7) The collaborative must review the proposal authored by the uniform law commission for the state to implement a process for out-of-state health care providers to register with the disciplinary authority regulating their profession in this state allowing that provider to provide services through telehealth or store and forward technology to persons located in this state. By December 1, 2024, the collaborative must submit a report to the legislature on its recommendations regarding the proposal.

(8) The future of the collaborative shall be reviewed by the legislature with consideration of ongoing technical assistance needs and opportunities. ~~((The collaborative terminates December 31, 2023.))~~

(9) This section expires July 1, 2025.

NEW SECTION. Sec. 12. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held

invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. Sections 1 through 9 of this act constitute a new chapter in Title 18 RCW."

On page 1, line 2 of the title, after "act;" strike the remainder of the title and insert "amending RCW 28B.20.830; adding a new chapter to Title 18 RCW; creating a new section; and providing an expiration date."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 486 by Senator Cleveland to Substitute Senate Bill No. 5481.

The motion by Senator Cleveland carried and striking amendment no. 486 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute Senate Bill No. 5481 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5481.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5481 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5481, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5815, by Senators Muzzall, Conway, Dhingra, Holy, Padden, Rivers, and Wagoner

Concerning the physician assistant compact.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 5815 was substituted for Senate Bill No. 5815 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5815, by Committee on Health & Long-Term Care (originally sponsored by Senators Muzzall, Conway, Dhingra, Holy, Padden, Rivers, and Wagoner)

SEVENTEENTH DAY, JANUARY 24, 2024

Revised for Substitute: Adopting the physician assistant compact.

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 5815 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5815.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5815 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5815, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5588, by Senators Nobles, Wagoner, Dhingra, Lovelett, Pedersen, Saldaña, Wellman, and Wilson, C.

Concerning the mental health sentencing alternative.

MOTION

On motion of Senator Nobles, Substitute Senate Bill No. 5588 was substituted for Senate Bill No. 5588 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5588, by Senate Committee on Law & Justice (originally sponsored by Nobles, Wagoner, Dhingra, Lovelett, Pedersen, Saldaña, Wellman, and Wilson, C.)

MOTION

Senator Padden moved that the following amendment no. 487 by Senator Padden be adopted:

On page 2, line 16, after "diagnosis" insert "and proposed treatment plan"

Senator Padden spoke in favor of adoption of the amendment. Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 487 by Senator Padden on page 2, line 16 to Substitute Senate Bill No. 5588.

The motion by Senator Padden did not carry and amendment no. 487 was not adopted by voice vote.

MOTION

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5588 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nobles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5588.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5588 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

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

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

SUBSTITUTE SENATE BILL NO. 5588, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5690, by Senators Dhingra, Nobles, Saldaña, and Wilson, C.

Concerning conditional release transition teams.

MOTION

On motion of Senator Dhingra, Substitute Senate Bill No. 5690 was substituted for Senate Bill No. 5690 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5690, by Senate Committee on Human Services (originally sponsored by Dhingra, Nobles, Saldaña, and Wilson, C.)

MOTION

Senator Dhingra moved that the following amendment no. 478 by Senator Dhingra be adopted:

Beginning on page 2, line 32, strike all of sections 2 and 3 and insert the following:

"Sec. 2. RCW 10.77.010 and 2023 c 453 s 2 and 2023 c 120 s 5 are each reenacted and amended to read as follows:

As used in this chapter:

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

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

(3) "Clinical intervention specialist" means a licensed professional with prescribing authority who is employed by or contracted with the department to provide direct services, enhanced oversight and monitoring of the behavioral health status

of in-custody defendants who have been referred for evaluation or restoration services related to competency to stand trial and who coordinate treatment options with forensic navigators, the department, and jail health services.

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

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

(6) "Conditional release" means modification of a court-ordered commitment, which may be revoked upon violation of any of its terms. A conditional release includes partial conditional release where a person continues inpatient at a state hospital under RCW 10.77.150, or conditional release to a less restrictive setting that meets the minimum requirements of RCW 10.77.175 where the person resides in the community.

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

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

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

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

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

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

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

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

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

(16) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct.

(17) "History of one or more violent acts" means violent acts committed during: (a) The 10-year period of time prior to the filing of criminal charges; plus (b) the amount of time equal to time spent during the 10-year period in a mental health facility or in confinement as a result of a criminal conviction.

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

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

(20) "Indigent" means any person who is indigent as defined in RCW 10.101.010, or financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to the person or his or her family.

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

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

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

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

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

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

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

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

(22) "Professional person" means:

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

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

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

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

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

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

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

(26) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others.

(27) "Violent act" means behavior that: (a)(i) Resulted in; (ii) if completed as intended would have resulted in; or (iii) was threatened to be carried out by a person who had the intent and

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opportunity to carry out the threat and would have resulted in, homicide, nonfatal injuries, or substantial damage to property; or (b) recklessly creates an immediate risk of serious physical injury to another person. As used in this subsection, "nonfatal injuries" means physical pain or injury, illness, or an impairment of physical condition. "Nonfatal injuries" shall be construed to be consistent with the definition of "bodily injury," as defined in RCW 9A.04.110.

Sec. 3. RCW 10.77.150 and 2023 c 120 s 8 are each amended to read as follows:

(1) Persons examined pursuant to RCW 10.77.140 may make application to the secretary for conditional release. The secretary shall, after considering the reports of experts or professional persons conducting the examination pursuant to RCW 10.77.140, forward to the court of the county which ordered the person's commitment the person's application for conditional release as well as the secretary's recommendations concerning the application and any proposed terms and conditions upon which the secretary reasonably believes the person can be conditionally released. ~~((Conditional release may also contemplate partial release for work, training, or educational purposes.))~~

(2) In instances in which persons examined pursuant to RCW 10.77.140 have not made application to the secretary for conditional release, but the secretary, after considering the reports of experts or professional persons conducting the examination pursuant to RCW 10.77.140, reasonably believes the person may be conditionally released, the secretary may submit a recommendation for conditional release to the court of the county that ordered the person's commitment. The secretary's recommendation must include any proposed terms and conditions upon which the secretary reasonably believes the person may be conditionally released. ~~((Conditional release may also include partial release for work, training, or educational purposes.))~~ Notice of the secretary's recommendation under this subsection must be provided to the person for whom the secretary has made the recommendation for conditional release and to his or her attorney.

(3)(a) The court of the county which ordered the person's commitment, upon receipt of an application or recommendation for conditional release with the secretary's recommendation for ~~((conditional release))~~ terms and conditions upon which the secretary reasonably believes the person can be conditionally released for partial conditional release or that meet the minimum statutory requirements in RCW 10.77.160 and 10.77.175 for conditional release to a less restrictive alternative, shall within 30 days schedule a hearing. The court may schedule a hearing on applications recommended for disapproval by the secretary.

(b) The prosecuting attorney shall represent the state at such hearings and shall have the right to have the person examined by an expert or professional person of the prosecuting attorney's choice. If the committed person is indigent~~((s))~~ and ~~((he or she))~~ so requests, the court shall assist the person in obtaining a qualified expert or professional person to examine the person on ~~((his or her))~~ the person's behalf. An expert or professional person obtained by an indigent person who is committed to state psychiatric care following acquittal by reason of insanity shall be compensated out of funds of the office of public defense as provided in policies and procedures under chapter 2.70 RCW, in a manner consistent with the rules of professional conduct and the standards for indigent defense.

(c) The issue to be determined at such a hearing is whether or not the person may be released conditionally ~~((to less restrictive alternative treatment under the supervision of a multidisciplinary transition team under conditions imposed by the court, including access to services under RCW 10.77.175 without substantial~~

~~danger to other persons, or substantial likelihood of committing criminal acts jeopardizing public safety or security))~~ under conditions imposed by the court without substantial danger to other persons, or substantial likelihood of committing criminal acts jeopardizing public safety or security.

(d) In cases that come before the court under subsection (1) or (2) of this section, the court may deny conditional release ~~((to a less restrictive alternative))~~ only on the basis of substantial evidence. The court may modify the suggested terms and conditions on which the person is to be conditionally released. Pursuant to the determination of the court after hearing, the committed person shall thereupon be released on such conditions as the court determines to be necessary, or shall be remitted to the custody of the secretary.

(4) If the order of conditional release provides for partial conditional release, the person shall be under the continued supervision of the secretary. The facility recommendation to the secretary for review of partial conditional release that allows unsupervised community access off the grounds of the state hospital will be informed by advisement of a community corrections officer.

~~(5)(a)~~ (a) If the order of conditional release provides for the conditional release of the person to a less restrictive alternative, ~~((including residential treatment or treatment in the community,))~~ the conditional release order ~~((must also))~~ shall include:

~~((a))~~ (i) A requirement for the committed person to be supervised by a multidisciplinary transition team, including a specially trained community corrections officer, a representative of the department of social and health services, and a representative of the community behavioral health agency providing treatment to the person under RCW 10.77.175.

~~((a))~~ (A) The court may omit appointment of the representative of the community behavioral health agency if the conditional release order does not require participation in behavioral health treatment;

~~((a))~~ (B) The court may omit the appointment of a community corrections officer if it makes a special finding that the appointment of a community corrections officer would not facilitate the success of the person, ~~((and))~~ and the safety of the person and the community;

~~((a))~~ (ii) A requirement for the person to comply with conditions of supervision established by the court which shall include at a minimum reporting as directed to a designated member of the transition team, remaining within prescribed geographical boundaries, and notifying the transition team prior to making any change in the person's address or employment. If the person is not in compliance with the court-ordered conditions of release, the community corrections officer or another designated transition team member shall notify the secretary or the secretary's designee; and

~~((a))~~ (iii) If the court requires participation in behavioral health treatment, the name of the licensed or certified behavioral health agency responsible for identifying the services the person will receive under RCW 10.77.175, and a requirement that the person cooperate with the services planned by the licensed or certified behavioral health agency. The licensed or certified behavioral health agency must comply with the reporting requirements of RCW 10.77.160, and must immediately report to the court, prosecutor, and defense counsel any substantial withdrawal or disengagement from medication or treatment, or any change in the person's mental health condition that renders him or her a potential risk to the public.

~~((a))~~ (b) Before ordering conditional release to a proposed less restrictive alternative, the court must consider the report of the community corrections officer with any additional

recommended conditions, and the recommendation of the independent public safety review panel under RCW 10.77.270. The court may not order conditional release to a proposed less restrictive alternative unless conditions ensure the conditional release will satisfy the minimum requirements set forth in this section and RCW 10.77.175.

~~((4))~~ (5) The role of the transition team appointed under subsection ((4)) (5) of this section shall be to facilitate the success of the person on the conditional release order by monitoring the person's progress in treatment, compliance with court-ordered conditions, and to problem solve around extra support the person may need or circumstances that may arise that threaten the safety of the person or the community. The transition team may develop a monitoring plan that may be carried out by any member of the team. The transition team shall meet according to a schedule developed by the team, and shall communicate as needed if issues arise that require the immediate attention of the team.

~~((6))~~ (7) The department of corrections shall collaborate with the department to develop specialized training for community corrections officers under this section. The lack of a trained community corrections officer must not be the cause of delay to entry of a conditional release order. Another community corrections officer may be appointed if no specially trained officer is available.

~~((7))~~ (8) Any person, whose application for conditional release has been denied, may reapply after a period of six months from the date of denial, or sooner with the support of the department.

~~((8))~~ (9) A person examined under RCW 10.77.140 or the department may make a motion for ~~((limited))~~ partial conditional release under this section, on the grounds that there is insufficient evidence that the person may be released conditionally to less restrictive alternative treatment under subsection (3)(c) of this section, but the person would benefit from the opportunity to exercise increased privileges while remaining under the custody and supervision of the department and with the supervision of the department these increased privileges can be exercised without substantial danger to other persons or substantial likelihood of committing criminal acts jeopardizing public safety or security. The department may respond to a person's application for conditional release by instead supporting ~~((limited))~~ partial conditional release."

Senator Dhingra spoke in favor of adoption of the amendment. The President declared the question before the Senate to be the adoption of amendment no. 478 by Senator Dhingra on page 2, line 38 to Substitute Senate Bill No. 5690. The motion by Senator Dhingra carried and amendment no. 478 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute Senate Bill No. 5690 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5690.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5690 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5690, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5334, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Lovelett, Kuderer, Frame, Hasegawa, Nguyen, Nobles, and Wilson, C.)

Providing a local government option for the funding of essential affordable housing programs.

The bill was read on Third Reading.

Senator Lovelett spoke in favor of passage of the bill. Senator Torres spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5334.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5334 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

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SECOND READING

SENATE BILL NO. 5835, by Senator Wilson, J.

Concerning transparency in rule making.

MOTIONS

On motion of Senator Wilson, L., Substitute Senate Bill No. 5835 was substituted for Senate Bill No. 5835 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, L., the rules were suspended, Substitute Senate Bill No. 5835 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5835.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5835 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5835, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5788, by Senators Pedersen, Wagoner, Kuderer, Mullet, and Saldaña

Concerning service animal training.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5788 was substituted for Senate Bill No. 5788 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5788, by Senate Committee on Law & Justice (originally sponsored by Pedersen, Wagoner, Kuderer, Mullet, and Saldaña)

Senator Pedersen moved that the following striking amendment no. 481 by Senators Padden, Pedersen and Wagoner be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 49.60.040 and 2020 c 85 s 1 are each amended to read as follows:

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

(1) "Aggrieved person" means any person who: (a) Claims to have been injured by an unfair practice in a real estate transaction; or (b) believes that he or she will be injured by an unfair practice in a real estate transaction that is about to occur.

(2) "Any place of public resort, accommodation, assemblage, or amusement" includes, but is not limited to, any place, licensed or unlicensed, kept for gain, hire, or reward, or where charges are made for admission, service, occupancy, or use of any property or facilities, whether conducted for the entertainment, housing, or lodging of transient guests, or for the benefit, use, or accommodation of those seeking health, recreation, or rest, or for the burial or other disposition of human remains, or for the sale of goods, merchandise, services, or personal property, or for the rendering of personal services, or for public conveyance or transportation on land, water, or in the air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports, or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recreation, or public purposes, or public halls, public elevators, and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or educational institution, or schools of special instruction, or nursery schools, or day care centers or children's camps: PROVIDED, That nothing contained in this definition shall be construed to include or apply to any institute, bona fide club, or place of accommodation, which is by its nature distinctly private, including fraternal organizations, though where public use is permitted that use shall be covered by this chapter; nor shall anything contained in this definition apply to any educational facility, columbarium, crematory, mausoleum, or cemetery operated or maintained by a bona fide religious or sectarian institution: PROVIDED FURTHER, That this definition, as it relates to "service animal trainers" and "service animal trainees" as those terms are defined in this section, shall not include those places of public accommodation conducted for housing or lodging of transient guests.

(3) "Commission" means the Washington state human rights commission.

(4) "Complainant" means the person who files a complaint in a real estate transaction.

(5) "Covered multifamily dwelling" means: (a) Buildings consisting of four or more dwelling units if such buildings have one or more elevators; and (b) ground floor dwelling units in other buildings consisting of four or more dwelling units.

(6) "Credit transaction" includes any open or closed end credit transaction, whether in the nature of a loan, retail installment transaction, credit card issue or charge, or otherwise, and whether for personal or for business purposes, in which a service, finance, or interest charge is imposed, or which provides for repayment in scheduled payments, when such credit is extended in the regular course of any trade or commerce, including but not limited to transactions by banks, savings and loan associations or other financial lending institutions of whatever nature, stock brokers, or by a merchant or mercantile establishment which as part of its ordinary business permits or provides that payment for purchases of property or service therefrom may be deferred.

(7)(a) "Disability" means the presence of a sensory, mental, or physical impairment that:

- (i) Is medically cognizable or diagnosable; or
- (ii) Exists as a record or history; or

- (iii) Is perceived to exist whether or not it exists in fact.
- (b) A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the ability to work generally or work at a particular job or whether or not it limits any other activity within the scope of this chapter.
- (c) For purposes of this definition, "impairment" includes, but is not limited to:
 - (i) Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, (~~genitor-urinary~~ ~~[genitourinary])~~ genitourinary, hemic and lymphatic, skin, and endocrine; or
 - (ii) Any mental, developmental, traumatic, or psychological disorder, including but not limited to cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- (d) Only for the purposes of qualifying for reasonable accommodation in employment, an impairment must be known or shown through an interactive process to exist in fact and:
 - (i) The impairment must have a substantially limiting effect upon the individual's ability to perform his or her job, the individual's ability to apply or be considered for a job, or the individual's access to equal benefits, privileges, or terms or conditions of employment; or
 - (ii) The employee must have put the employer on notice of the existence of an impairment, and medical documentation must establish a reasonable likelihood that engaging in job functions without an accommodation would aggravate the impairment to the extent that it would create a substantially limiting effect.
- (e) For purposes of (d) of this subsection, a limitation is not substantial if it has only a trivial effect.
- (8) "Dog guide" means a dog that is trained for the purpose of guiding blind persons or a dog that is trained for the purpose of assisting hearing impaired persons.
- (9) "Dwelling" means any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land that is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.
- (10) "Employee" does not include any individual employed by his or her parents, spouse, or child, or in the domestic service of any person.
- (11) "Employer" includes any person acting in the interest of an employer, directly or indirectly, who employs eight or more persons, and does not include any religious or sectarian organization not organized for private profit.
- (12) "Employment agency" includes any person undertaking with or without compensation to recruit, procure, refer, or place employees for an employer.
- (13) "Families with children status" means one or more individuals who have not attained the age of eighteen years being domiciled with a parent or another person having legal custody of such individual or individuals, or with the designee of such parent or other person having such legal custody, with the written permission of such parent or other person. Families with children status also applies to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen years.
- (14) "Full enjoyment of" includes the right to purchase any service, commodity, or article of personal property offered or sold on, or by, any establishment to the public, and the admission of any person to accommodations, advantages, facilities, or

- privileges of any place of public resort, accommodation, assemblage, or amusement, without acts directly or indirectly causing persons of any particular race, creed, color, sex, sexual orientation, national origin, or with any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, to be treated as not welcome, accepted, desired, or solicited.
- (15) "Honorably discharged veteran or military status" means a person who is:
 - (a) A veteran, as defined in RCW 41.04.007; or
 - (b) An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.
- (16) "Labor organization" includes any organization which exists for the purpose, in whole or in part, of dealing with employers concerning grievances or terms or conditions of employment, or for other mutual aid or protection in connection with employment.
- (17) "Marital status" means the legal status of being married, single, separated, divorced, or widowed.
- (18) "National origin" includes "ancestry."
- (19) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers, or any group of persons; it includes any owner, lessee, proprietor, manager, agent, or employee, whether one or more natural persons; and further includes any political or civil subdivisions of the state and any agency or instrumentality of the state or of any political or civil subdivision thereof.
- (20) "Premises" means the interior or exterior spaces, parts, components, or elements of a building, including individual dwelling units and the public and common use areas of a building.
- (21) "Race" is inclusive of traits historically associated or perceived to be associated with race including, but not limited to, hair texture and protective hairstyles. For purposes of this subsection, "protective hairstyles" includes, but is not limited to, such hairstyles as afros, braids, locks, and twists.
- (22) "Real estate transaction" includes the sale, appraisal, brokering, exchange, purchase, rental, or lease of real property, transacting or applying for a real estate loan, or the provision of brokerage services.
- (23) "Real property" includes buildings, structures, dwellings, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein.
- (24) "Respondent" means any person accused in a complaint or amended complaint of an unfair practice in a real estate transaction.
- (25) "Service animal" means any dog or miniature horse(~~as discussed in RCW 49.60.214,)~~) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The

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crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks. This subsection does not apply to RCW 49.60.222 through 49.60.227 with respect to housing accommodations or real estate transactions.

(26) "Service animal trainee" means any dog or miniature horse that is undergoing training to become a service animal.

(27) "Service animal trainer" means an individual exercising care, custody, and control over a service animal trainee during a course of training designed to develop the service animal trainee into a service animal.

(28) "Sex" means gender.

~~((27))~~ (29) "Sexual orientation" means heterosexuality, homosexuality, bisexuality, and gender expression or identity. As used in this definition, "gender expression or identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.

Sec. 2. RCW 49.60.214 and 2018 c 176 s 4 are each amended to read as follows:

(1) It shall be a civil infraction under chapter 7.80 RCW for any person to misrepresent an animal as a service animal or service animal trainee. A violation of this section occurs when a person:

(a) Expressly or impliedly represents that an animal is a service animal ~~((as defined in RCW 49.60.040))~~ or service animal trainee for the purpose of securing the rights or privileges afforded disabled persons accompanied by service animals set forth in state or federal law; and

(b) Knew or should have known that the animal in question did not meet the definition of a service animal or service animal trainee.

(2)(a) An enforcement officer as defined under RCW 7.80.040 may investigate and enforce this section by making an inquiry of the person accompanied by the animal in question and issuing a civil infraction. Refusal to answer the questions allowable under (b) of this subsection shall create a presumption that the animal is not a service animal or service animal trainee and the enforcement officer may issue a civil infraction and require the person to remove the animal from the place of public accommodation.

(b) An enforcement officer or place of public accommodation shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal or service animal trainee. An enforcement officer or place of public accommodation may ask if the animal is required because of a disability and what work or task the animal has been trained or is in training to perform. An enforcement officer or place of public accommodation shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, or require that the service animal demonstrate its task. Generally, an enforcement officer or place of public accommodation may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for a person with a disability, such as a dog is observed guiding a person who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to a person with an observable mobility disability.

~~((3))~~ A place of public accommodation shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability in accordance with RCW 49.60.040(24) if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether

~~reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a facility, a place of public accommodation shall act in accordance with all applicable laws and regulations.~~)

Sec. 3. RCW 49.60.215 and 2020 c 52 s 13 are each amended to read as follows:

(1) It shall be an unfair practice for any person or the person's agent or employee to ~~((commit))~~:

(a) ~~Commit~~ an act which directly or indirectly results in any distinction, restriction, or discrimination ~~((, or the requiring of))~~;

(b) ~~Require~~ any person to pay a larger sum than the uniform rates charged other persons ~~((, or the refusing or withholding))~~;

(c) ~~Refuse or withhold~~ from any person the admission, patronage, custom, presence, frequenting, dwelling, staying, or lodging in any place of public resort, accommodation, assemblage, or amusement ~~((, except for))~~.

(2) Notwithstanding subsection (1) of this section, a person or the person's agent or employee may enforce conditions and limitations established by law and applicable to all persons, regardless of race, creed, color, national origin, citizenship or immigration status, sexual orientation, sex, honorably discharged veteran or military status, status as a mother breastfeeding her child, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability: PROVIDED, That this section shall not be construed to require structural changes, modifications, or additions to make any place accessible to a person with a disability except as otherwise required by law: PROVIDED, That behavior or actions constituting a risk to property or other persons can be grounds for refusal and shall not constitute an unfair practice.

(3) A place of public accommodation must make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability in accordance with RCW 49.60.040(25) if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a facility, a place of public accommodation must act in accordance with all applicable laws and regulations.

(4) If a place of public accommodation customarily charges a person for damages that the person causes to the place, the place may charge a service animal trainer for damages that a service animal trainee causes to the place.

(5) A service animal trainer must maintain control of a service animal trainee. Except as provided in this subsection, control must be exerted by means of a harness, leash, or other tether. If the use of a harness, leash, or other tether would interfere with the ability of the animal to do the work or perform the tasks for which the animal is being trained, control may be exerted by the effective use of voice commands, signals, or other means. If an animal is not under control as required in this subsection, a place of public accommodation may consider the animal to be out of control for purposes of subsection (6) of this section.

(6)(a) Except as provided in this subsection, a place of public accommodation may not deny a service animal trainer the right to be accompanied by a service animal trainee in any area of the place that is open to the public or to business invitees. A place of public accommodation may require a service animal trainer to remove a service animal trainee if:

(i) The animal is not trained to urinate and defecate outside of the facility or only in an appropriate place; or

(ii) The animal is out of control and effective action is not taken to control the animal.

(b) A place of public accommodation may impose legitimate requirements necessary for the safe operation of the place of public accommodation. The place of public accommodation must ensure that the safety requirements are based on actual risks, not on speculation, stereotypes, or generalizations about persons with disabilities.

(c) A place of public accommodation may post signage indicating the misrepresentation of an animal as a service animal or service animal trainee may result in a civil infraction of up to \$500 pursuant to chapter 7.80 RCW.

(7) A place of public accommodation must make reasonable modifications as necessary to allow an opportunity for a person with a disability who is benefited by the use of a dog guide or service animal to obtain goods, services, and the use of the advantages, facilities, and privileges of the place. For purposes of this subsection, except as provided in subsection (6) of this section, in addition to any other applicable accommodation requirement, allowing the presence of the service animal is a reasonable modification.

(8) A place of public accommodation is not required to provide care or supervision for a service animal or service animal trainee.

(9) The protection granted under this section to a person with a disability or service animal trainer does not invalidate or limit the remedies, rights, and procedures of any other federal, state, or local laws that provide equal or greater protection of the rights of a person with a disability, service animal trainer, or individuals associated with a person with a disability."

On page 1, line 1 of the title, after "training;" strike the remainder of the title and insert "amending RCW 49.60.214 and 49.60.215; and reenacting and amending RCW 49.60.040."

The President declared the question before the Senate to be the adoption of striking amendment no. 481 by Senators Padden, Pedersen and Wagoner to Substitute Senate Bill No. 5788.

The motion by Senator Pedersen carried and striking amendment no. 481 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5788 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5788.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5788 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5788, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5936, by Senators Conway, Dozier, Frame, Hasegawa, Kuderer, Nobles, Rivers, and Salomon

Convening a palliative care benefit work group.

MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 5936 was substituted for Senate Bill No. 5936 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5936, by Senate Committee on Health & Long-Term Care (originally sponsored by Conway, Dozier, Frame, Hasegawa, Kuderer, Nobles, Rivers, and Salomon)

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5936 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5936.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5936 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5936, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5824, by Senators Hunt, Keiser, Kuderer, Liias, and Nobles

Concerning the dissolution of libraries and library districts.

The measure was read the second time.

MOTION

Senator Wilson, J. moved that the following amendment no. 489 by Senator Wilson, J. be adopted:

On page 2, at the beginning of line 11, strike "35" and insert "25"

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Senators Wilson, J. and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 489 by Senator Wilson, J. on page 2, line 11 to Senate Bill No. 5824.

The motion by Senator Wilson, J. carried and amendment no. 489 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Senate Bill No. 5824 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5824.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5824 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SENATE BILL NO. 5824, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

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

Updating the endangerment with a controlled substance statute to include fentanyl or synthetic opioids.

The bill was read on Third Reading.

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

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

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5010 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Saldaña

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

MOTION

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

SECOND READING

SENATE BILL NO. 5890, by Senators Valdez, Hunt, Dhingra, Kuderer, Nguyen, Nobles, and Pedersen

Reducing ballot rejection rates through updates to ballot curing, canvassing, reporting, and outreach processes.

MOTIONS

On motion of Senator Valdez, Substitute Senate Bill No. 5890 was substituted for Senate Bill No. 5890 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5890, by Senate Committee on State Government & Elections (originally sponsored by Valdez, Hunt, Dhingra, Kuderer, Nguyen, Nobles, and Pedersen)

MOTION

Senator Fortunato moved that the following amendment no. 488 by Senators Fortunato and Valdez be adopted:

On page 2, line 37, after "(5)" insert "If a voter's ballot is rejected in two consecutive primary or general elections due to a mismatched signature, the auditor must contact the voter by telephone, text message, or email, if the auditor has a telephone number or email address on file for the voter, and request that the voter update their signature for the voter's registration file.

(6)"

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

Senators Fortunato and Valdez spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 488 by Senators Fortunato and Valdez on page 2, line 37 to Substitute Senate Bill No. 5890.

The motion by Senator Fortunato carried and amendment no. 488 was adopted by voice vote.

MOTION

On motion of Senator Valdez, the rules were suspended, Engrossed Substitute Senate Bill No. 5890 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5890.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5890 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5890, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:17 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, January 25, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, January 25, 2024

The Senate was called to order at 12:30 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTIONS

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 24, 2024

SB 5118 Prime Sponsor, Senator Kuderer: Concerning modifying the multifamily property tax exemption to promote development of long-term affordable housing. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5118 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senator Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Ranking Member; Gildon; Rivers and Wilson, J.

Referred to Committee on Ways & Means.

January 24, 2024

SB 5967 Prime Sponsor, Senator Frame: Concerning an exemption to the leasehold excise tax for leases on public lands. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Rivers.

Referred to Committee on Ways & Means.

January 24, 2024

SB 6013 Prime Sponsor, Senator Shewmake: Expanding the homeownership development property tax exemption to include real property sold to low-income households for building residences using mutual self-help housing construction. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Rivers; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Ranking Member; Braun; Gildon and Wilson, J.

Referred to Committee on Ways & Means.

January 24, 2024

SB 6059 Prime Sponsor, Senator Frame: Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6059 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Rivers; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Ranking Member; Braun; Gildon and Wilson, J.

Referred to Committee on Rules for second reading.

January 24, 2024

SB 6136 Prime Sponsor, Senator Kuderer: Reestablishing a business and occupation tax on the privilege of providing property for rent and supporting access to affordable rental property by exempting from tax landlords participating in a rent stabilization program. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6136 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon; Rivers and Wilson, J.

Referred to Committee on Ways & Means.

January 24, 2024

SB 6173 Prime Sponsor, Senator Nobles: Encouraging investments in affordable homeownership unit development. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9017 ED ZUCKERMAN, appointed on March 22, 2019, for the term ending September 30, 2024, as Member of The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9037 EBEN POBEE, appointed on October 8, 2019, for the term ending September 30, 2024, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9052 MIGUEL PEREZ-GIBSON, appointed on December 12, 2019, for the term ending September 30, 2025, as Member of The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9166 CLEMENCIA CASTRO-WOOLERY, appointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Pierce College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9168 JEANNE K. BENNETT, reappointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Clark College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9178 OFELIA P. BREDT, appointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Columbia Basin College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9187 TRAVIS A. EXSTROM, appointed on November 1, 2021, for the term ending September 30, 2026, as Member of the Highline College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9193 CHRISTINA BLOCKER, reappointed on November 19, 2021, for the term ending September 30, 2026, as Member of the Bates Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9213 NORMAN SEABROOKS, appointed on January 25, 2022, for the term ending September 30, 2026, as Member of the Cascadia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9218 ALLYSON L. BROOKS, appointed on February 7, 2022, for the term ending September 30, 2026, as Member of The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024
SGA 9299 JANE HOPKINS, appointed on July 1, 2022, for the term ending June 30, 2026, as Member of the Workforce Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

EIGHTEENTH DAY, JANUARY 25, 2024

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9309 REBECCA S. RINGER, appointed on October 1, 2022, for the term ending September 30, 2026, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9323 BOGYEONG KIM, appointed on January 12, 2023, for the term ending September 30, 2027, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9334 JESUS A. VILLEGAS RIVERA, appointed on February 24, 2023, for the term ending September 30, 2027, as Member of the Clover Park Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9348 PAMELA A. MACEWAN, appointed on April 17, 2023, for the term ending September 30, 2028, as Member of The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9358 KRISTOPHER K. PETERS, appointed on October 26, 2021, for the term ending September 30, 2027, as Member of The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9360 MARILEE SCARBROUGH, appointed on May 22, 2023, for the term ending September 30, 2027, as Member of the Clark College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9375 ALEXANDER K. LEE, reappointed on October 2, 2023, for the term ending September 30, 2028, as Member of the Cascadia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9385 CLAIRE S. RONEY, reappointed on October 2, 2023, for the term ending September 30, 2028, as Member of the Peninsula College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9386 DAVID ZEECK, reappointed on October 2, 2023, for the term ending September 30, 2029, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9395 ROBERT H. MALTE, reappointed on October 2, 2023, for the term ending September 30, 2028, as Member of the Lake Washington Institute of Technology Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9396 JESSICA J. NOROUZI, reappointed on October 2, 2023, for the term ending September 30, 2028, as Member of the Renton Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9398 JEFFERY S. VINCENT, appointed on September 15, 2023, for the term ending June 30, 2027, as Member of the Washington Student Achievement Council. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9399 ADRIANNE N. WAGNER, reappointed on October 2, 2023, for the term ending September 30, 2028, as Member of the Edmonds Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9400 ASTRID E. AVELEDO, reappointed on October 2, 2023, for the term ending September 30, 2028, as Member of the Grays Harbor College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Hawkins and Randall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9401 ROBERT DECOTEAU, reappointed on October 2, 2023, for the term ending September 30, 2028, as Member of the Bellingham Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9402 MARTY J. DICKINSON, reappointed on October 2, 2023, for the term ending September 30, 2029, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9404 HEATHER MOSS RICH, appointed on October 2, 2023, for the term ending September 30, 2028, as Member of the Bates Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9406 ELAINE CHU, appointed on October 3, 2023, for the term ending September 30, 2028, as Member of the Green River College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9407 RAYMOND CONNER, appointed on October 3, 2023, for the term ending September 30, 2029, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9409 ALICE E. DIETZ, appointed on October 3, 2023, for the term ending September 30, 2028, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

EIGHTEENTH DAY, JANUARY 25, 2024

January 24, 2024

SGA 9411 ANNA M. FRANKLIN, appointed on October 3, 2023, for the term ending September 30, 2028, as Member of the Community Colleges of Spokane Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9412 JESSE E. JOHNSON, appointed on October 3, 2023, for the term ending September 30, 2028, as Member of the Highline College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9414 DOUGLAS T. PICHA, appointed on October 3, 2023, for the term ending September 30, 2029, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9415 TERESA N. TAYLOR, appointed on October 3, 2023, for the term ending September 30, 2028, as Member of the Whatcom Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9416 CHRISTOPHER T. THOMAS, appointed on October 3, 2023, for the term ending September 30, 2027, as Member of the Centralia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9417 STEVEN A. ZIMMERMAN, appointed on October 3, 2023, for the term ending September 30, 2028, as

Member of the Wenatchee Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9418 JAMES D. STARK, appointed on October 10, 2023, for the term ending September 30, 2028, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9419 MACK L. HOGANS, reappointed on October 13, 2023, for the term ending September 30, 2027, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9420 ANNALEE K. TOBEY, reappointed on October 13, 2023, for the term ending September 30, 2028, as Member of the Centralia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9421 MARTIN VALADEZ, reappointed on October 13, 2023, for the term ending September 30, 2027, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9427 SUZANNE DONALDSON, appointed on October 31, 2023, for the term ending September 30, 2028, as Member of the Clark College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9429 AMY E. PARRIS, reappointed on November 15, 2023, for the term ending September 30, 2028, as Member of the Big Bend Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9435 TAMRA L. JACKSON, reappointed on December 6, 2023, for the term ending September 30, 2027, as Member of the Wenatchee Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9440 JEFFERY S. VINCENT, appointed on December 19, 2023, for the term ending June 30, 2025, as Member of the Workforce Education Investment Accountability and Oversight Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 24, 2024

SGA 9441 WILLIAM W. WARREN, reappointed on December 19, 2023, for the term ending September 30, 2028, as Member of the Walla Walla Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

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

MESSAGE FROM THE HOUSE

January 24, 2024

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1226,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1272,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1637,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SI 2111 by People of the State of Washington
Clarifying requirements for subsidized child care.

Referred to Committee on Ways & Means.

SB 6304 by Senators Liias and Nguyen
AN ACT Relating to implementing certain recommendations of the transportation electrification strategy; amending RCW 43.31.970, 47.01.520, 35.92.450, 54.16.430, 80.28.360, and 46.96.185; reenacting and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding a new section to chapter 46.37 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 43.01 RCW; adding a new chapter to Title 19 RCW; adding a new chapter to Title 70A RCW; creating a new section; prescribing penalties; providing effective dates; and providing expiration dates.

Referred to Committee on Transportation.

SB 6305 by Senators Randall, Boehnke, Lovick, Torres and Hansen
AN ACT Relating to the Washington state law enforcement memorial; and adding a new section to chapter 79.24 RCW.

Referred to Committee on State Government & Elections.

MOTIONS

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

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

Senator Kuderer moved adoption of the following resolution:

SENATE RESOLUTION
8657

By Senators Kuderer, Wellman, Dhingra, Nobles, and Short

WHEREAS, Women in Cloud is a global network of Women Tech Founders, Executives, Tech Professionals, and Allies who are committed to inspiring the tech ecosystem to be an inclusive force for change and take collective action by providing a powerful platform to collaborate, build community engagement,

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and unlock \$1,000,000,000 in new net economic access by 2030; and

WHEREAS, Women In Cloud promotes conversations around its focus areas of Cloud Workforce Development, Civic Engagement via Policy Advocacy, Entrepreneurship and Cloud/AI Innovation, and Global partnerships with corporations, community leaders, and policymakers through events and initiatives; and

WHEREAS, Examples such as these are all united by the ESG and UN Sustainable Development Goals that are driven by job creation, diversity and inclusion, technology innovation, and sustainability, giving women a powerful platform to accelerate as industry leaders; and

WHEREAS, Women in Cloud has set initiatives that include distributing over 3,000 cloud certifications scholarships, delivering more than 50 executive leadership sessions, and recognizing over 2,578 women and allies in tech as role models; and

WHEREAS, Women in Cloud has made extraordinary efforts to achieve over 80 companies becoming Cosell ready which secures over \$20,000,000 in funding and created over 1,000 jobs in 5 years; and

WHEREAS, More than 3,500 companies benefited from influenced DEI attestations and discovery within Microsoft Marketplaces; and

WHEREAS, Women in Cloud boasts a membership of 100,000 individuals from 67 countries, with active participation from the United States, Canada, India, Africa, the United Kingdom, and Australia; and

WHEREAS, The empowHERaccess Campaign, launched by Women in Cloud, has achieved a digital reach of 3 million within 2 years, exemplifying their commitment to fostering a global community; and

WHEREAS, A total of 45,000 members actively participated in both online and in-person community events, showcasing the organization's dedication to fostering engagement and collaboration; and

WHEREAS, Women in Cloud has awarded 3,000 Cloud, Cyber, and AI certification scholarships over two years, contributing to the professional development of individuals in these critical fields; and

WHEREAS, 2,547 individuals were recognized as role models and 1,890 speakers were facilitated access through the efforts of Women in Cloud, promoting diversity and representation; and

WHEREAS, Women in Cloud has been honored with 4 industry awards, ranging from Forbes to Microsoft Supplier, attesting to their excellence and impact within the technology sector; and

WHEREAS, Women in Cloud is an industry-leading platform for women and allies to gain access to the knowledge, leaders, and networks necessary to build successful and responsible businesses in a new era of technological advancement;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and commend the extraordinary accomplishments of Women in Cloud, the powerful community of women luminaires this resolution is creating, and the strides being made in the pursuit of increased representation of women leaders in professional and technological fields; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Women in Cloud.

Senators Kuderer and Wellman spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8657.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Ms. Chaitra Vedullapalli, Co-founder and President of Women in Cloud and members and supporters of the Women in Cloud economic development organization who were seated in the gallery.

MOTION

At 12:45 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, January 26, 2024.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

NINETEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, January 26, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 25, 2024

SB 5095 Prime Sponsor, Senator Nobles: Creating the "parks Rx" health and wellness pilot programs. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5095 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

January 25, 2024

SSB 5438 Prime Sponsor, Committee on Ways & Means: Facilitating supportive relationships with family and significant individuals within the behavioral health system. Reported by Committee on Human Services

MAJORITY recommendation: That Third Substitute Senate Bill No. 5438 be substituted therefor, and the third substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 25, 2024

SB 5776 Prime Sponsor, Senator Keiser: Accessing an emergency supply of insulin. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5776 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Ranking Member Muzzall, Assistant Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Padden.

Referred to Committee on Ways & Means.

January 25, 2024

SB 5786 Prime Sponsor, Senator Pedersen: Making updates to the Washington business corporation act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5786 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5792 Prime Sponsor, Senator Padden: Concerning the definition of multiunit residential buildings. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5796 Prime Sponsor, Senator Pedersen: Concerning common interest communities. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5796 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Pedersen; Salomon; Torres and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators McCune; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5799 Prime Sponsor, Senator Wilson, C.: Concerning the sale of halal foods. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

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January 25, 2024

SB 5802 Prime Sponsor, Senator Muzzall: Providing flexibility in calculation of nursing rates. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 25, 2024

SB 5829 Prime Sponsor, Senator Frame: Screening newborn infants for congenital cytomegalovirus. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5829 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5834 Prime Sponsor, Senator Short: Concerning urban growth areas. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5834 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5846 Prime Sponsor, Senator Salomon: Concerning ecosystem management. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5846 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Lias; Shewmake; Stanford and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Ways & Means.

January 25, 2024

SB 5849 Prime Sponsor, Senator Wellman: Concerning a computer science competency graduation requirement. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5849 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice

Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5851 Prime Sponsor, Senator Braun: Concerning Holocaust and genocide education in public schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5851 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Nobles, Vice Chair.

Referred to Committee on Ways & Means.

January 25, 2024

SB 5858 Prime Sponsor, Senator Fortunato: Concerning the just and equitable distribution of real property and liabilities in the dissolution of marriage or domestic partnerships. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5858 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; McCune; Salomon; Torres; Wagoner and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Kuderer; Pedersen and Valdez.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5885 Prime Sponsor, Senator Torres: Concerning procedures for certificates of annexation submitted to the office of financial management. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5891 Prime Sponsor, Senator Boehnke: Designating trespassing on a public school bus as a felony offense. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5891 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Padden, Ranking Member; McCune; Pedersen; Torres; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Trudeau, Vice Chair; Kuderer; Salomon and Valdez.

2024 REGULAR SESSION

January 25, 2024

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5901 Prime Sponsor, Senator Salomon: Concerning co-living housing. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5901 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5917 Prime Sponsor, Senator Billig: Concerning criminal penalties for bias-motivated defacement of private or public property. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5917 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5925 Prime Sponsor, Senator Torres: Concerning fire protection district commissioner per diem compensation. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5925 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5938 Prime Sponsor, Senator Wilson, C.: Modifying the community parenting alternative for eligible participants in the residential parenting program at the department of corrections. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Rules for second reading.

SB 5941 Prime Sponsor, Senator Wilson, C.: Clarifying requirements for subsidized child care. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5953 Prime Sponsor, Senator Wilson, C.: Concerning financial aid grants for incarcerated students. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5953 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Wilson, J.

Referred to Committee on Ways & Means.

January 25, 2024

SB 5968 Prime Sponsor, Senator Stanford: Regulating home equity sharing agreements under the consumer loan act. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5968 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Hasegawa; Lovick and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Dozier, Ranking Member; Boehnke; Gildon and MacEwen.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5970 Prime Sponsor, Senator Hunt: Modifying local board of health county commissioner membership. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5973 Prime Sponsor, Senator Liias: Concerning heat pumps in common interest communities. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5973 be substituted therefor, and the substitute bill do

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pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6009 Prime Sponsor, Senator Trudeau: Prohibiting the use of hog-tying. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6009 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6010 Prime Sponsor, Senator Shewmake: Streamlining certain decisions pertaining to the development or extension of a trail or path from the state environmental policy act. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 6010 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6018 Prime Sponsor, Senator Wilson, C.: Designating early learning coordinators at educational service districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member and McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dozier.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6068 Prime Sponsor, Senator Boehnke: Reporting on dependency outcomes. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6068 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6079 Prime Sponsor, Senator Boehnke: Making juvenile detention records available to managed health care systems. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6090 Prime Sponsor, Senator Holy: Creating a law enforcement hiring grant program. Reported by Committee on Law & Justice

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6135 Prime Sponsor, Senator Wilson, C.: Concerning programs for eligible recipients of temporary assistance to needy families. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6135 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senator Boehnke, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6140 Prime Sponsor, Senator Short: Concerning limited areas of more intensive rural development. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 6140 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6146 Prime Sponsor, Senator Dhingra: Concerning tribal warrants. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6146 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6181 Prime Sponsor, Senator Liias: Concerning law enforcement officer definition. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6186 Prime Sponsor, Senator Kauffman: Concerning disclosure of certain recipient locations to the Washington state patrol. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6186 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6187 Prime Sponsor, Senator Saldaña: Concerning the body scanner pilot program at the department of corrections. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6187 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6189 Prime Sponsor, Senator Saldaña: Concerning transparency, public safety, and independent oversight of the city, county, and regional jail system in Washington state. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6189 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6194 Prime Sponsor, Senator Stanford: Concerning state legislative employee collective bargaining. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6194 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6227 Prime Sponsor, Senator Dhingra: Allowing entry of a civil protection order to protect victims when a person is found not guilty by reason of insanity. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6227 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6246 Prime Sponsor, Senator Dhingra: Concerning transmission of information relating to firearm prohibitions for persons committed for mental health treatment. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6271 Prime Sponsor, Senator Keiser: Modifying the cannabis excise tax to consider THC concentration. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen; MacEwen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

Referred to Committee on Rules for second reading.

NINETEENTH DAY, JANUARY 26, 2024

MOTION

January 25, 2024

SGA 9286 GREG SZABO, appointed on December 16, 2022, for the term ending July 1, 2026, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 25, 2024

SGA 9379 CHRISTOPHER G. SWANSON, appointed on August 1, 2023, for the term ending June 30, 2026, as Member of the Pollution Control/Shorelines Hearings Board. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 25, 2024

SGA 9413 SCOTT A. MERRIMAN, appointed on January 3, 2024, for the term ending December 31, 2028, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 25, 2024

SGA 9430 BRENT L. STARK, reappointed on November 15, 2023, for the term ending July 1, 2028, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 25, 2024

SGA 9434 LILY CLIFTON, reappointed on December 6, 2023, for the term ending July 1, 2028, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5849 and Senate Bill No. 6146 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

MOTION

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

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
I-2124

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434- 379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2124 to be examined in the following manner:

1. It was determined that 427,481 signatures were submitted by the sponsors of the initiative. A random sample of 12,825 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,552 valid signatures, 2,259 signatures that were invalid and 14 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling (71) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (77,673) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (25,292) by subtracting the sum of the number of signatures required by Article 11, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (23) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (15) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2124 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 25th day of January, 2024.

/s/Steve Hobbs
STEVE HOBBS
Secretary of State

[seal]

Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
Administration Division
PO Box 40100 • Olympia, WA 98504-0100 • (360) 753-6200

June 27, 2023

The Honorable Steve Hobbs
Elections Division
ATTN: Initiative and Referendum
PO Box 40220
Olympia, WA 98504-0220

Re: Initiative No. 2124

Dear Secretary Hobbs:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2124 to the Legislature an (act relating to an act relating to all Washington workers having the choice to opt out of the government-operated long term insurance scheme).

BALLOT TITLE

Statement of Subject: Initiative Measure No. 2124 concerns state long term care insurance.

Concise Description: This measure would provide that employees and self-employed people must elect to keep coverage under RCW 50B.04 and could opt-out any time. It would also repeal a law governing an exemption for employees.

Should this measure be enacted into law? Yes [] No []

BALLOT MEASURE SUMMARY

This measure would amend state law establishing a state long term care insurance program to provide that employees and self-employed people must elect to keep coverage under RCW 50B.04 allow employees to opt-out of coverage under RCW 50B.04 at any time, and repeal a current law governing exemptions for employees who had purchased long term care insurance before November 1, 2021.

Sincerely,
s/Karl D. Smith
KARLD. SMITH
Deputy Solicitor General

Initiative Measure No. 2124
June 13, 2023

OPT OUT OF STATE-RUN LONG TERM CARE
COVERAGE ACT

AN ACT Relating to all Washington workers having the choice to opt out of the government-operated long term insurance scheme; amending RCW 50B.04.090; creating new sections; and repealing RCW 50B.04.085.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 50B.04.090 and 2022 c 1 s 6 are each amended to read as follows:

- (1) Beginning July 1, 2023, and subject to the protections established by subsection 8 of this section, any self-employed person, including a sole proprietor, independent contractor, partner, or joint venturer, may elect coverage under this chapter. Coverage must be elected before July 1, 2026, or within three years of becoming self-employed for the first time. Those electing coverage under this subsection are responsible for payment of 100 percent of all premiums assessed to an employee under RCW 50B.04.080. The self-employed person must file a notice of election in writing with the employment security department, in the manner required by the employment security department in rule. The self-employed person is eligible for benefits after paying the long-term services and supports premium for the time required under RCW 50B.04.050.
- (2) A self-employed person who has elected coverage may not withdraw from coverage unless they opt out under subsection 8 of this section.
- (3) A self-employed person who elects coverage must continue to pay premiums until such time that the individual retires from the workforce or is no longer self-employed or they opt out under subsection 8 of this section. To cease premium assessment and collection, the self-employed person must file a notice with the employment security department if the individual retires from the workforce or is no longer self-employed or they opt out under subsection 8 of this section.
- (4) The employment security department may cancel elective coverage if the self-employed person fails to make required payments or file reports. The employment security department may collect due and unpaid premiums and may levy an additional premium for the remainder of the period of coverage. The cancellation must be effective no later than 30 days from the date of the notice in writing advising the self-employed person of the cancellation.
- (5) Those electing coverage are considered employers or employees where the context so dictates.
- (6) For the purposes of this section, "independent contractor" means an individual excluded from the definition of "employment" in RCW 50B.04.010.
- (7) The employment security department shall adopt rules for determining the hours worked and the wages of individuals who elect coverage under this section and rules for enforcement of this section.
- (8) An employee or self-employed person in Washington must elect to keep coverage under this Chapter. If an employee or self-employed person has elected coverage under this Chapter, the employee or self-employed person must also have the option to opt out at any time. The employment security department shall adopt rules to implement this section.

Sec. 2. RCW 50B.04.085 (Premium assessment-Exemptions) and 2021 c 113 s 5 & 2020 c 98 s 7 are each repealed.

NEW SECTION. **Sec. 3.** The provisions of this act are to be liberally construed to effectuate the policies, purposes, and intent of this act.

NINETEENTH DAY, JANUARY 26, 2024

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Commerce, Department of - *“Pew Report - Recommendations to Increase Retirement Savings in Washington”*, in accordance with Engrossed Substitute Senate Bill No. 5187;

Health Care Authority - *“Law Enforcement Assisted Diversion (LEAD) Pilot Program”*, in accordance with Engrossed Substitute Senate Bill No. 5187 71.24.589 RCW; *“Substance Use and Recovery Services Plan”*, in accordance with Engrossed Substitute Senate Bill No. 5476 and pursuant to 71.24.546 RCW; *“Intensive Outpatient and Partial Hospitalization Services Progress Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Safe Supply Work Group Preliminary Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Create and Expand Housing Supports for Adults with Behavioral Health Conditions”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Statewide SUD Prevalence and Cross-Sector Interactions: Inventory of Data and Reporting Capabilities Preliminary Report”*, in accordance with Second Engrossed Second Substitute Senate Bill No. 5536; *“Behavioral Health Emergency Response and Coordination Services Pilot: Implementing Effective, Integrated, and Coordinated Services”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Behavioral Health Emergency Response and Coordination Services Pilot: Implementing Effective, Integrated, and Coordinated Services”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Community Health Worker Grant Program Update; Initial Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Apple Health and Homes; Program Launch Plan”*, in accordance with Engrossed Substitute House Bill No. 1866; *“Diabetes Epidemic and Action Report”*, pursuant to 70.330.020 RCW;

Health, Department of - *“Health Equity Zones”*, pursuant to 43.70.595 RCW; *“Nursing Assistant Alternative Training, 2023 Report”*, pursuant to 18.88A.087 RCW; *“Healthcare-Associated Infections and Antimicrobial Resistance Program”*, pursuant to 43.70.056 RCW;

Social & Health Services, Department of - *“Epidemic Disease Preparedness and Response for Long-term Care Annual Report”*, pursuant to 70.01.070 RCW; *“Language Access Work Group”*, in accordance with Substitute Senate Bill No. 5304; *“Transition Care Management”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Transportation, Department of - *“Lower Snake River Dams Transportation Study”*, in accordance with Engrossed Substitute House Bill No. 1125;

Washington State University - *“WSU Sexual Assault Nurse Examiner Program Report”*, pursuant to 28B.30.360 RCW;

Washington Technology Solutions - *“IT Biennial Report”*, pursuant to 43.105.220 RCW; *“IT Biennial Report Letter of Transmittal”*, pursuant to 43.105.220 RCW.

MOTION

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

MESSAGES FROM THE HOUSE

January 25, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037,
SUBSTITUTE HOUSE BILL NO. 1044,
HOUSE BILL NO. 1530,
SUBSTITUTE HOUSE BILL NO. 1851,
HOUSE BILL NO. 1898,
HOUSE BILL NO. 1950,
HOUSE BILL NO. 1954,
HOUSE BILL NO. 2032,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

January 25, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1618,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

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

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

Referred to Committee on Law & Justice.

SHB 1044 by House Committee on Capital Budget (originally sponsored by Representatives McEntire, Graham, Couture, Sandlin, Walsh, Rude, Caldier and Santos)

AN ACT Relating to capital financial assistance to small school districts with demonstrated funding challenges; amending RCW 28A.525.159; adding a new section to chapter 28A.525 RCW; and creating a new section.

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

HB 1226 by Representative Fitzgibbon; by request of Department of Fish and Wildlife

AN ACT Relating to providing for recreational licensing of smelt, crawfish, and carp; amending RCW 77.32.010; and creating a new section.

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

E2SHB 1272 by House Committee on Appropriations (originally sponsored by Representatives Bergquist,

Volz, Reeves, Gregerson, Christian, Riccelli and Schmidt)

AN ACT Relating to publishing, formatting, and distribution of the state and local voters' pamphlets; amending RCW 29A.32.010, 29A.32.020, 29A.32.031, 29A.32.060, 29A.32.070, 29A.32.090, 29A.32.110, 29A.32.121, 29A.32.210, 29A.32.220, 29A.32.230, 29A.32.241, 29A.32.250, 29A.32.260, and 29A.32.280; and providing an effective date.

Referred to Committee on State Government & Elections.

HB 1530 by Representatives Cortes, Mena, Simmons, Ryu, Davis and Fosse

AN ACT Relating to expanding eligibility for employment to lawful permanent residents for positions with general authority Washington law enforcement agencies, limited authority Washington law enforcement agencies, and prosecuting attorney offices; amending RCW 36.27.040; and adding a new section to chapter 10.93 RCW.

Referred to Committee on Law & Justice.

ESHB 1637 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Orwall, Pollet and Fitzgibbon)

AN ACT Relating to prohibiting excessive fees or other charges for locating or recovering foreclosure surplus funds and other unclaimed property; amending RCW 61.24.135; adding a new section to chapter 61.12 RCW; adding new sections to chapter 63.30 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1851 by House Committee on Appropriations (Representatives Callan, Macri, Bergquist and Gregerson)

AN ACT Relating to implementation of a sustainable funding model for the services provided through the first approach skills training program; and amending RCW 71.24.061, 71.24.063, and 71.24.064.

Referred to Committee on Health & Long-Term Care.

HB 1898 by Representatives Schmidt, Fosse, Connors, Berry, Bronoske, Abbarno, Ormsby, Volz, Leavitt, Low, Reed, Graham, Kloba and Reeves; by request of Employment Security Department

AN ACT Relating to unemployment insurance benefit charging; amending RCW 50.12.200; and reenacting and amending RCW 50.29.021.

Referred to Committee on Labor & Commerce.

HB 1950 by Representatives Slatter, Ybarra, Reed, Jacobsen, Pollet, Leavitt, Ortiz-Self, Ramos, Morgan, Simmons, Ormsby, Callan, Street, Paul, Goodman, Thai, Lekanoff, Reeves and Riccelli; by request of Office of Financial Management

AN ACT Relating to the public service loan forgiveness program; and amending RCW 41.04.045, 41.04.055, and 43.41.425.

Referred to Committee on Higher Education & Workforce Development.

HB 1954 by Representatives Riccelli, Bateman, Ramel, Reed, Simmons, Ormsby, Macri, Doglio, Thai, Lekanoff and Reeves

AN ACT Relating to harmonizing statutory language relating to lawful participation in reproductive health care services or gender-affirming treatment; and amending RCW 18.130.450.

Referred to Committee on Health & Long-Term Care.

HB 2032 by Representatives Cheney, Low, Ramos and Graham

AN ACT Relating to reducing the size of yard signs that are exempt from certain political advertising disclosure requirements; and amending RCW 42.17A.320.

Referred to Committee on State Government & Elections.

MOTIONS

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

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

Senator Dhingra moved adoption of the following resolution:

SENATE RESOLUTION

8663

By Senators Dhingra, Stanford, Nobles, Salomon, Wagoner, Cleveland, Hunt, Lovick, J. Wilson, C. Wilson, Warnick, Valdez, Wellman, Lovelett, Braun, and Torres

WHEREAS, January 26, 2024, marks the 75th Republic Day in India, commemorating the effective adoption of the Constitution of the world's largest democracy; and

WHEREAS, India solidified their achievement of independence from British rule through peaceful and nonviolent resistance; and

WHEREAS, India's Constitution requires equality under the law, and declares "that the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India"; and

WHEREAS, India has a strong tradition of maintaining democratic ideals through robust checks on those in power; and

WHEREAS, Washington state has many cultural and economic ties to India, including more than 100,000 Indian Americans living in the state; and

WHEREAS, Indian Americans are small business owners, entrepreneurs, and CEOs of Washington companies, including the founding officers of many Washington-based tech companies; and

WHEREAS, These businesses provide useful services, resources, and jobs to the people of this state; and

WHEREAS, Indian Americans have been emigrating to the West Coast since the 19th century, working in our most vital industries including agriculture, lodging, and trade; and

WHEREAS, Indian Americans reflect the values of inclusion and pluralism through their many cultural and religious identities, including Muslim, Sikh, and Hindu; and

WHEREAS, Indian Americans serve selflessly in our armed forces and in law enforcement, and contribute profoundly to the health care industry and Washington's institutions of higher education;

NINETEENTH DAY, JANUARY 26, 2024

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the 2024 Republic Day of India as a symbol of the shared values of democracy, diversity, and inclusion between the nation of India and both the State of Washington and the United States of America.

Senators Dhingra and Wagoner spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8663.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members and representatives of the Indian American and Indian community who were seated in the gallery.

MOTION

At 12:39 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, January 29, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY SECOND DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, January 29, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 26, 2024

SB 5779 Prime Sponsor, Senator Wilson, J.: Concerning the public records exemptions accountability committee. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5779 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5812 Prime Sponsor, Senator Wilson, J.: Concerning the response to electric vehicle fires. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5812 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5847 Prime Sponsor, Senator Lias: Enhancing prorate and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; Nobles; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen and Padden.

Referred to Committee on Rules for second reading.

January 26, 2024

SB 5857 Prime Sponsor, Senator Hunt: Reorganizing statutes on campaign disclosure and contribution. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5857 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 26, 2024

SB 5919 Prime Sponsor, Senator King: Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5919 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 5920 Prime Sponsor, Senator Padden: Lifting certificate of need requirements for psychiatric hospitals and beds. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5920 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 26, 2024

SB 5931 Prime Sponsor, Senator Salomon: Expediting the safer products for Washington process regarding motorized vehicle tires containing 6PPD. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5931 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Rules for second reading.

January 26, 2024

TWENTY SECOND DAY, JANUARY 29, 2024

SB 5946 Prime Sponsor, Senator Van De Wege: Establishing a fallen firefighter memorial. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5946 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

January 26, 2024

SB 6016 Prime Sponsor, Senator Shewmake: Creating a green energy community fund to support school districts and nonprofit organizations that service the communities where renewable energy projects are located. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6016 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Short; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6017 Prime Sponsor, Senator Shewmake: Expanding the use of the border area fuel tax. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 26, 2024

SB 6058 Prime Sponsor, Senator Nguyen: Facilitating linkage of Washington's carbon market with the California-Quebec carbon market. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6058 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member and Boehnke.

Referred to Committee on Ways & Means.

January 25, 2024

SB 6084 Prime Sponsor, Senator Wagoner: Providing collector vehicles the ability to tow trailers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 26, 2024

SB 6095 Prime Sponsor, Senator Robinson: Establishing clear authority for the secretary of health to issue standing orders. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Assistant Ranking Member and Padden.

Referred to Committee on Rules for second reading.

January 26, 2024

SB 6127 Prime Sponsor, Senator Liias: Increasing access to human immunodeficiency virus postexposure prophylaxis drugs or therapies. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6127 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 26, 2024

SB 6163 Prime Sponsor, Senator Wilson, J.: Concerning biosolids. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6163 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

January 26, 2024

SB 6175 Prime Sponsor, Senator Trudeau: Concerning housing affordability tax incentives for existing structures. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6175 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Gildon.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

January 26, 2024

SB 6228 Prime Sponsor, Senator Dhingra: Concerning treatment of substance use disorders. Reported by Committee on Health & Long-Term Care

SGA 9346 CRAIG A. RITCHIE, appointed on April 13, 2023, for the term ending January 19, 2027, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6228 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Padden; Randall and Van De Wege.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

January 25, 2024

SB 6229 Prime Sponsor, Senator Shewmake: Modifying match requirements for the green transportation capital grant program. Reported by Committee on Transportation

SGA 9352 WILLIAM E. HAYES, appointed on April 26, 2023, for the term ending January 20, 2027, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; Nobles; Valdez; Wilson, C. and Wilson, J.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Padden; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen and Padden.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

January 26, 2024

SB 6232 Prime Sponsor, Senator Wilson, J.: Establishing a pilot common public records portal. Reported by Committee on State Government & Elections

SGA 9428 STEPHANIE J. BARDIN, appointed on November 15, 2023, for the term ending January 19, 2026, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6232 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier and Fortunato.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Padden; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Kuderer.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

January 26, 2024

SB 6237 Prime Sponsor, Senator Salomon: Ensuring connectivity for Washington wildlife through safe passages. Reported by Committee on Transportation

SGA 9431 HUEY YU, appointed on November 15, 2023, for the term ending January 20, 2027, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6237 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

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

MESSAGE FROM OTHER STATE OFFICERS

January 24, 2024

TWENTY SECOND DAY, JANUARY 29, 2024
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

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

JANEL MCFEAT, appointed January 3, 2024, for the term ending January 2, 2026, as Executive Director of the Washington Statewide Reentry Council.

Sincerely,
MICHAEL FONG, Director
Department of Commerce

Referred to Committee on Human Services as Senate Executive Appointment No. 9800.

MOTIONS

On motion of Senator Pedersen, the appointee listed on the Executive Appointment report was referred to the committee as designated.

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

INTRODUCTION AND FIRST READING

SI 2124 by People of the State of Washington

Supporting and expanding access to child care and early learning programs.

Referred to Committee on Labor & Commerce.

SB 6306 by Senators Fortunato and Padden

AN ACT Relating to requiring medical malpractice insurance coverage for health care providers who perform an abortion; and amending RCW 9.02.110.

Referred to Committee on Health & Long-Term Care.

SB 6307 by Senator Fortunato

AN ACT Relating to enhancing transparency in dental benefits to ensure full patient benefits; and amending RCW 48.44.495.

Referred to Committee on Health & Long-Term Care.

SB 6308 by Senators Dhingra and Robinson

AN ACT Relating to extending timelines for implementation of the 988 system; amending RCW 71.24.892 and 71.24.908; reenacting and amending RCW 71.24.890; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6309 by Senators Randall and Robinson

AN ACT Relating to creating a covered lives assessment professional services rate account; adding a new section to chapter 48.02 RCW; adding a new chapter to Title 74 RCW; creating a new section; and providing contingent expiration dates.

Referred to Committee on Ways & Means.

SB 6310 by Senator Lovick

AN ACT Relating to including members of the space force and uniformed services as part of state benefits and programs for service members; amending RCW 38.04.010, 38.42.010,

41.18.150, 41.20.050, 43.24.130, 41.04.010, 41.44.120, 73.16.031, 73.16.010, and 73.16.051; and reenacting and amending RCW 41.40.170, 41.44.030, and 46.18.200.

Referred to Committee on State Government & Elections.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 1097 by House Committee on Consumer Protection & Business (originally sponsored by Representatives Walen, Goodman, Leavitt, Ramel, Peterson, Fitzgibbon, Macri, Simmons, Reeves, Thai, Gregerson, Stonier, Pollet, Kloba, Santos and Ormsby)
AN ACT Relating to the sale of cosmetics tested on animals; adding a new chapter to Title 69 RCW; providing an effective date; and prescribing penalties.

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

ESHB 1608 by House Committee on Education (originally sponsored by Representatives Bronoske, Simmons, Duerr, Ramel, Wylie, Paul, Jacobsen, Macri, Kloba, Leavitt and Reed)

AN ACT Relating to expanding access to anaphylaxis medications in schools; amending RCW 28A.210.383; and adding a new section to chapter 43.70 RCW.

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

E2SHB 1618 by House Committee on Appropriations (originally sponsored by Representatives Farivar, Simmons, Wylie, Berry, Walen, Fosse, Morgan, Macri, Pollet, Doglio, Reed, Caldier and Orwall)

AN ACT Relating to providing access to justice for survivors of childhood sexual abuse; amending RCW 4.16.340; and creating new sections.

Referred to Committee on Law & Justice.

MOTIONS

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

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

Senator Short moved adoption of the following resolution:

SENATE RESOLUTION 8660

By Senators Short, Cleveland, Kuderer, Warnick, Dozier, Torres, Padden, Lovelett, Wagoner, and J. Wilson

WHEREAS, January has been recognized as National Stalking Awareness Month by the Stalking Prevention, Awareness, and Resource Center, established by a grant funded by the United States Department of Justice; and

WHEREAS, This body reaffirms the inherent right of every human being to live in peace without the fear of being stalked, harassed, and violated; and

WHEREAS, We recognize stalking as a deeply traumatic victimization in its own right and often intersects with sexual violence, physical violence, and even homicide; and

WHEREAS, According to the National Intimate Partner and Sexual Violence Survey, one in three women and one in six men have been stalked at some point in their lives; and

WHEREAS, According to the National Coalition Against Domestic Violence, 76 percent of women murdered by an intimate partner were stalked first, while 85 percent of women who survived murder attempts were stalked; and

WHEREAS, 54 percent of femicide victims reported stalking to the police before they were killed by their stalkers and one in seven stalking victims has been forced to move because of their victimization; and

WHEREAS, According to the United States Department of Justice report "Socio-emotional Impact of Violent Crime," victims often face nonphysical challenges, such as the possibility of trauma and posttraumatic stress or socio-emotional problems, affecting their ability to trust or function day to day; and

WHEREAS, According to the Centers for Disease Control and Prevention, stalking is a public health problem that affects millions of people in the United States; and

WHEREAS, The impact of all crime often affects more than just the direct victims, devastating thousands of these victims' families and friends across Washington as well; and

WHEREAS, The Washington State Senate recognize the importance of honoring victims regardless of the manner, size, or type of crime committed against them because of the adversity they face and the resilience they exemplify;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the plight of those affected and victimized by the crime of stalking and further resolve to stand with the victims who have been brave enough to tell their stories, those who are no longer alive to do so, and those who might gain the courage to do so in the future.

Senator Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8660.

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

MOTION

At 12:35 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, January 30, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY THIRD DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, January 30, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the standing committees completing hearings were granted special leave to continue to meet during the day's floor session.

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 29, 2024

SB 5816 Prime Sponsor, Senator Van De Wege: Concerning alcohol server permits. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Stanford.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 5818 Prime Sponsor, Senator Van De Wege: Authorizing an exemption to the seashore conservation area for a qualified infrastructure project. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 5894 Prime Sponsor, Senator Nobles: Including protected classes in the Washington equal pay and opportunities act. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5894 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen; MacEwen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Schoesler.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 5903 Prime Sponsor, Senator Wilson, C.: Concerning representation in the educator preparation act. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 5945 Prime Sponsor, Senator Conway: Concerning manufacturer and new dealer franchise agreements. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 5980 Prime Sponsor, Senator Keiser: Concerning the timeline for issuing a citation for a violation of the Washington industrial safety and health act. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5980 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 6020 Prime Sponsor, Senator Muzzall: Establishing a Puget Sound nonspot shrimp pot fishery license. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6020 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 29, 2024
SB 6031 Prime Sponsor, Senator Braun: Modifying the student transportation allocation to accommodate multiple vehicle types for transporting students. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 29, 2024
SB 6056 Prime Sponsor, Senator Torres: Training requirements for human trafficking. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6056 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

January 29, 2024
SB 6062 Prime Sponsor, Senator Torres: Concerning the authority of the department of natural resources to lease trust assets for the benefit of trust beneficiaries and the state. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6062 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Lias; Shewmake; Short; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Stanford.

Referred to Committee on Rules for second reading.

January 29, 2024
SB 6085 Prime Sponsor, Senator Conway: Reestablishing the underground economy task force. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Ways & Means.

January 29, 2024

SB 6088 Prime Sponsor, Senator Conway: Concerning minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 29, 2024
SB 6105 Prime Sponsor, Senator Saldaña: Creating safer working conditions in adult entertainment establishments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6105 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Rules for second reading.

January 29, 2024
SB 6108 Prime Sponsor, Senator King: Addressing retainage on private construction projects. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6108 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 29, 2024
SB 6123 Prime Sponsor, Senator Wellman: Adjusting classified school employee salaries. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

January 29, 2024
SB 6179 Prime Sponsor, Senator MacEwen: Concerning the use of biometric age verification by liquor licensees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6179 be substituted therefor, and the substitute bill do

TWENTY THIRD DAY, JANUARY 30, 2024

pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 6192 Prime Sponsor, Senator King: Addressing additional work and change orders on public and private construction projects. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6192 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 6256 Prime Sponsor, Senator Stanford: Providing solar consumer protections. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6256 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 6264 Prime Sponsor, Senator Wellman: Supporting the implementation of competency-based education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6264 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 29, 2024

SB 6278 Prime Sponsor, Senator Liias: Promoting organic agriculture. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6278 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 29, 2024

SB 6281 Prime Sponsor, Senator Van De Wege: Investing in reforestation efforts following landscape-scale forest

disturbances. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6281 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

January 29, 2024

SJR 8208 Prime Sponsor, Senator Wagoner: Enshrining the right to hunt and fish in the state Constitution. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Short; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Salomon, Vice Chair; Liias and Shewmake.

MINORITY recommendation: Do not pass. Signed by Senator Stanford.

Referred to Committee on Rules for second reading.

January 29, 2024

SGA 9251 JOSEPH R. MARONEY, appointed on October 3, 2022, for the term ending July 15, 2025, as Member of the Salmon Recovery Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 29, 2024

SGA 9378 KALEEN COTTINGHAM, appointed on July 17, 2023, for the term ending July 15, 2027, as Member of the Salmon Recovery Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Stanford and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Short and Wagoner.

Referred to Committee on Rules for second reading.

January 29, 2024

SGA 9438 MICHAEL S. SHIOSAKI, reappointed on January 1, 2024, for the term ending December 31, 2026, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Lias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

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

MESSAGES FROM THE HOUSE

January 29, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1895,
HOUSE BILL NO. 1917,
HOUSE BILL NO. 1920,
SUBSTITUTE HOUSE BILL NO. 1939,
HOUSE BILL NO. 1955,
HOUSE BILL NO. 1961,
SUBSTITUTE HOUSE BILL NO. 2015,
HOUSE BILL NO. 2111,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

January 29, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1964,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6311 by Senator Mullet

AN ACT Relating to using savings that are the result of extraordinary investment returns in the state's pension systems to fund transportation projects; adding a new section to chapter 41.45 RCW; adding a new section to chapter 46.68 RCW; and creating a new section.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1895 by Representatives Thai, Connors, Corry, Ryu, Ortiz-Self, Ramel, Ormsby, Doglio, Fosse, Orwall, Paul, Reeves, Lekanoff, Tharinger and Riccelli; by request of Department of Revenue

AN ACT Relating to modifying the working families' tax credit by clarifying the refundable nature of the credit, the application requirements, and the eligibility verification process; reenacting and amending RCW 82.08.0206; and creating a new section.

Referred to Committee on Ways & Means.

HB 1917 by Representatives Leavitt, Ybarra, Ryu, Volz, Schmidt, Christian, Slatter, Bateman, Chambers, Reeves, Reed, Graham, Simmons, Jacobsen, Timmons, Macri, Gregerson, Caldier, Tharinger, Nance, Riccelli, Harris and Shavers

AN ACT Relating to the physician assistant compact; adding a new section to chapter 42.56 RCW; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1920 by Representatives Robertson, Reeves, Ryu and Graham

AN ACT Relating to modifying the public accountancy act; amending RCW 18.04.015, 18.04.025, 18.04.105, 18.04.180, 18.04.183, 18.04.195, 18.04.205, 18.04.215, 18.04.295, 18.04.345, 18.04.350, 18.04.380, 18.04.390, 18.04.405, and 18.04.430; and decodifying RCW 18.04.910 and 18.04.911.

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

SHB 1939 by House Committee on Postsecondary Education & Workforce (originally sponsored by Representatives Orwall, Rule, Leavitt, Slatter, Bateman, Reed, Jacobsen, Callan, Macri, Donaghy, Doglio, Goodman, Reeves, Riccelli, Shavers and Hackney)

AN ACT Relating to adopting the social work licensure compact; adding a new chapter to Title 18 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Health & Long-Term Care.

HB 1955 by Representatives Barnard, Doglio, Ramos, Reeves and Hackney; by request of Department of Commerce

AN ACT Relating to repealing the greenhouse gas content disclosure provision; amending RCW 19.405.020; and repealing RCW 19.405.070.

Referred to Committee on Environment, Energy & Technology.

HB 1961 by Representatives Low, Walen, Leavitt, Eslick, Sandlin, Paul, Couture, Ramel, Ramos, Bateman, Graham, Cheney, Riccelli, Pollet and Shavers

AN ACT Relating to animal cruelty in the first degree; and reenacting and amending RCW 9.94A.515.

Referred to Committee on Law & Justice.

SHB 2015 by House Committee on Health Care & Wellness (originally sponsored by Representatives Senn, Schmick, Ryu, Reed, Ormsby, Callan, Macri, Doglio, Lekanoff, Reeves and Tharinger)

AN ACT Relating to incentivizing adult family homes to increase bed capacity to seven or eight beds; amending RCW 70.128.066 and 70.128.070; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

TWENTY THIRD DAY, JANUARY 30, 2024

HB 2111 by Representatives Nance, Senn, Simmons, Callan, Tharinger, Lekanoff, Wylie and Reeves

AN ACT Relating to clarifying requirements for subsidized child care; amending RCW 43.216.1368, 43.216.1364, and 43.216.145; reenacting and amending RCW 43.216.136; adding new sections to chapter 43.216 RCW; recodifying RCW 43.216.136, 43.216.1364, 43.216.1368, 43.216.139, 43.216.141, 43.216.143, 43.216.145, 43.216.730, and 43.216.749; and repealing RCW 43.216.725 and 43.216.137.

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

MOTION

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

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

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

SENATE RESOLUTION 8662

By Senators C. Wilson, Kuderer, J. Wilson, Lovick, Nobles, Billig, Boehnke, Cleveland, and Wellman

WHEREAS, The National Conference of State Legislatures (NCSL) was founded in 1975 and has evolved during the past half-century to become the premier organization solely dedicated to serving state and territorial legislators and legislative staff; and

WHEREAS, It was created from the merger of three organizations that served or represented state legislatures and that shared the belief that legislative service is one of democracy's worthiest pursuits; and

WHEREAS, NCSL is a bipartisan organization with three objectives: To advance the effectiveness, independence, and integrity of state legislatures; to foster interstate communication and cooperation; and to ensure states a strong, cohesive voice in the federal system; and

WHEREAS, Our nation's state legislatures are America's laboratories of democracy and have continually shown that they are the bodies to tackle emerging challenges, and state legislatures are where people from very different backgrounds, representing very different communities, can come together and find common ground, and NCSL has facilitated the exchange of ideas, provided critical research and information, and encouraged a rigorous review of complex issues confronting our communities, states, and nation, and NCSL strives to strengthen the bonds between America's state legislatures and the international community;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington recognize and commend the National Conference of State Legislatures for their superb leadership and their commitment to the legislative institution; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate of the state of Washington is authorized and directed to transmit an appropriate copy of this resolution to the National Conference of State Legislatures.

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

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8662.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Holly South, National Conference of State Legislatures (NCSL) Liaison to Washington, who was seated in the north gallery.

The President noted that on this day, January 30, in 1854, the first members of the newly established Territorial Assembly were elected in Washington Territory. On that date, a Territorial Delegate was elected to Congress, nine members to the Territorial Council; and eighteen members to the Territorial House of Representatives.

EDITOR'S NOTE: Washington became a Territory in March, 1853. Shortly after his arrival in November of 1853, the first Territorial Governor Isaac Stevens proclaimed Olympia the temporary Territorial Capitol of Washington Territory and called for elections of Territorial representatives.

Gov. Stevens' proclamation established the number of seats in each of the two houses and set the date of the election for January 30, 1854, a Monday. The census undertaken of the newly established Territory determined the population of the area to be 3,965 persons of which 1,682 were eligible voters in 1854.

MOTION

At 12:39 p.m., on motion of Senator Pedersen, the Senate adjourned until 1:30 p.m. Wednesday, January 31, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
 Wednesday, January 31, 2024

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Torres.

The Sergeant at Arms Color Guard consisting of Pages Mr. Tyler Hawkins and Miss Emily Rock, presented the Colors.

Page Miss Azumi Calloway led the Senate in the Pledge of Allegiance.

Rabbi Seth Goldstein of Temple Beth Hatfiloh in Olympia offered the prayer.

MOTIONS

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 30, 2024

SB 5013 Prime Sponsor, Senator Warnick: Providing a tax exemption for the first 20,000 gallons of wine sold by a winery in Washington. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5013 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Frame, Vice Chair and Hasegawa.

Referred to Committee on Ways & Means.

January 30, 2024

SB 5209 Prime Sponsor, Senator Hunt: Establishing universal civic duty voting. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Transportation.

January 30, 2024

SB 5662 Prime Sponsor, Senator Saldaña: Creating the cannabis employee job retention act. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 5864 Prime Sponsor, Senator Fortunato: Establishing a point of contact for any person diagnosed with a rare disease. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5864 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 30, 2024

SB 5869 Prime Sponsor, Senator Short: Concerning rural fire district stations. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5869 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 5934 Prime Sponsor, Senator Padden: Concerning pollinator habitat. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5934 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Kauffman.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 5955 Prime Sponsor, Senator Keiser: Mitigating harm and improving equity in large port districts. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5955 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Kauffman and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres, Ranking Member.

TWENTY FOURTH DAY, JANUARY 31, 2024

Referred to Committee on Ways & Means.

January 31, 2024

SB 5969 Prime Sponsor, Senator Dhingra: Adjusting school districts' authority to contract indebtedness for school construction. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5969 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

January 31, 2024

SB 5978 Prime Sponsor, Senator Robinson: Authorizing the office of the superintendent of public instruction to act as a guarantor for a county when the county provides a loan to a school district. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier; McCune and Mullet.

Referred to Committee on Ways & Means.

January 31, 2024

SB 5989 Prime Sponsor, Senator Gildon: Confirming property ownership or owner authorization for short-term rentals. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 5993 Prime Sponsor, Senator Hasegawa: Concerning voter education. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Valdez, Vice Chair.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 5996 Prime Sponsor, Senator Saldaña: Concerning collecting data on the H-2A worker program and from certain hand harvesters. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5996 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 5997 Prime Sponsor, Senator King: Making technical corrections to plumbing supervision and trainee hours reporting. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6007 Prime Sponsor, Senator Conway: Concerning employment standards for grocery workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6007 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Braun and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and MacEwen.

Referred to Committee on Rules for second reading.

January 31, 2024

SB 6012 Prime Sponsor, Senator Wellman: Helping approved teacher preparation programs respond to the continuously changing needs of the modern classroom. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6012 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6015 Prime Sponsor, Senator Shewmake: Concerning residential parking configurations. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 6015 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres, Ranking Member and Short.

January 30, 2024

SB 6040 Prime Sponsor, Senator Valdez: Concerning prompt payment in public works. Reported by Committee on State Government & Elections

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 6040 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

January 30, 2024

SB 6025 Prime Sponsor, Senator Stanford: Protecting consumers from predatory loans. Reported by Committee on Business, Financial Services, Gaming & Trade

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 6025 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Hasegawa; Lovick and Mullet.

January 30, 2024

SB 6047 Prime Sponsor, Senator Warnick: Concerning executive sessions by publicly owned natural gas utilities under the open public meetings act in order to comply with the climate commitment act. Reported by Committee on State Government & Elections

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke; Gildon and MacEwen.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 6047 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

January 30, 2024

SB 6029 Prime Sponsor, Senator Braun: Establishing limitations on detached accessory dwelling units outside urban growth areas. Reported by Committee on Local Government, Land Use & Tribal Affairs

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 6029 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

January 30, 2024

SB 6052 Prime Sponsor, Senator Nguyen: Concerning petroleum products supply and pricing. Reported by Committee on Environment, Energy & Technology

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 6052 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

January 30, 2024

SB 6032 Prime Sponsor, Senator Braun: Fostering community engagement with law enforcement at nonprofit religious schools. Reported by Committee on Law & Justice

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

MAJORITY recommendation: That Substitute Senate Bill No. 6032 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6033 Prime Sponsor, Senator Braun: Concerning ceremonial open carry on the Washington state capitol campus. Reported by Committee on Law & Justice

SB 6061 Prime Sponsor, Senator Lovelett: Concerning exemptions for housing development under the state environmental policy act. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Wagoner and Wilson, L.

MAJORITY recommendation: That Substitute Senate Bill No. 6061 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Valdez.

Referred to Committee on Rules for second reading.

TWENTY FOURTH DAY, JANUARY 31, 2024

January 30, 2024

SB 6072 Prime Sponsor, Senator Keiser: Addressing recommendations of the long-term services and supports trust commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Braun; MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6092 Prime Sponsor, Senator Shewmake: Concerning disclosure of greenhouse gas emissions. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6092 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6101 Prime Sponsor, Senator Cleveland: Concerning hospital at-home services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6101 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6110 Prime Sponsor, Senator Keiser: Modernizing the child fatality statute. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6110 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6118 Prime Sponsor, Senator Van De Wege: Regarding a vapor directory. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6118 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6120 Prime Sponsor, Senator Van De Wege: Concerning the Wildland Urban Interface Code. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6121 Prime Sponsor, Senator Van De Wege: Concerning biochar production from agricultural and forestry biomass. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6121 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Lovick; Short; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6125 Prime Sponsor, Senator Kauffman: Preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6133 Prime Sponsor, Senator McCune: Deterring robberies from cannabis retail establishments. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Torres; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Salomon.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6134 Prime Sponsor, Senator Gildon: Preventing overdose and illicit use of opioids in Washington state. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6134 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6137 Prime Sponsor, Senator Cleveland: Reinstating semiconductor tax incentives. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Frame, Vice Chair and Hasegawa.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6148 Prime Sponsor, Senator Rivers: Establishing maternal and perinatal quality of care metrics for Washingtonians on medicaid. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6150 Prime Sponsor, Senator Cleveland: Extending the comprehensive plan revision schedule for select local governments. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 6150 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6152 Prime Sponsor, Senator Cleveland: Requiring certain counties to measure the gap between estimated existing housing units and existing housing needs. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 6152 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6154 Prime Sponsor, Senator Torres: Updating process service requirements for corporations in Washington state. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6154 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6157 Prime Sponsor, Senator Lovick: Reforming civil service to permit deferred action for childhood arrivals recipients to apply for civil service and incorporate civil service advantage for bilingual and multilingual applicants, applicants with higher education, and applicants with prior work experience in social services. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6157 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Fortunato.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6158 Prime Sponsor, Senator Wilson, J.: Concerning public facilities districts. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 6158 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Kauffman.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6162 Prime Sponsor, Senator Schoesler: Adding a penalty for excessive fees for locating abandoned property held by a county. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6162 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2024

TWENTY FOURTH DAY, JANUARY 31, 2024

SB 6164 Prime Sponsor, Senator Wagoner: Concerning county emergency management plans. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 6164 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6167 Prime Sponsor, Senator Hasegawa: Concerning local government procurement rules. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Kauffman and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres, Ranking Member.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6171 Prime Sponsor, Senator Wilson, L.: Ordering a study on child care for criminal justice personnel. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6171 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6180 Prime Sponsor, Senator Lovick: Improving the outcomes associated with waste material management systems, including products affecting organic material management systems. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6180 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6202 Prime Sponsor, Senator Kauffman: Concerning technical changes to allowable exemptions for tourism promotion area assessments. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 31, 2024

SB 6205 Prime Sponsor, Senator McCune: Mandating instruction on the meaning and history of the pledge of allegiance in public schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6205 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; McCune; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Nobles, Vice Chair and Hunt.

Referred to Committee on Rules for second reading.

January 31, 2024

SB 6211 Prime Sponsor, Senator McCune: Creating clarity and consistency in rental agreements under the manufactured/mobile home landlord-tenant act. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

January 31, 2024

SB 6212 Prime Sponsor, Senator Shewmake: Requiring landlords to report on-time rent payments to consumer reporting agencies. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon and Rivers.

Referred to Committee on Rules for second reading.

January 31, 2024

SB 6216 Prime Sponsor, Senator Nobles: Establishing a statewide network for student mental and behavioral health. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6220 Prime Sponsor, Senator Salomon: Concerning high THC cannabis products. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6220 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Ways & Means.

January 31, 2024

SB 6221 Prime Sponsor, Senator Salomon: Concerning the Washington national primate research center at the University of Washington. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6221 be substituted therefor, and the substitute bill do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6222 Prime Sponsor, Senator Wagoner: Concerning the number of district court judges. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6226 Prime Sponsor, Senator Trudeau: Creating reporting requirements for the department of social and health service's office of fraud and accountability. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6234 Prime Sponsor, Senator Wilson, L.: Screening newborn infants for branched-chain ketoacid dehydrogenase kinase

deficiency. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Holy; Padden; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dhingra.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6240 Prime Sponsor, Senator Warnick: Expanding tax preferences for jet fuel. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Frame, Vice Chair and Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Stanford, Chair.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6245 Prime Sponsor, Senator Hasegawa: Assisting refugees and immigrants. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6245 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6251 Prime Sponsor, Senator Dhingra: Coordinating regional behavioral crisis response and suicide prevention services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6251 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2024

SB 6254 Prime Sponsor, Senator Nobles: Providing student navigational supports to increase postsecondary enrollment. Reported by Committee on Higher Education & Workforce Development

TWENTY FOURTH DAY, JANUARY 31, 2024

MAJORITY recommendation: That Substitute Senate Bill No. 6254 be substituted therefor, and the substitute bill do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6261 Prime Sponsor, Senator Warnick: Concerning penalties for the theft and possession of stolen property, including theft from first responders. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6261 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Padden, Ranking Member; McCune; Salomon; Torres; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Trudeau, Vice Chair; Kuderer; Pedersen and Valdez.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6265 Prime Sponsor, Senator Conway: Protecting a consumer's right to coupon and sale prices offered by grocery stores. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6265 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6269 Prime Sponsor, Senator Valdez: Establishing an alternative voter verification options pilot project. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6269 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Fortunato; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dozier.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6273 Prime Sponsor, Senator Boehnke: Conducting an audit of the juvenile rehabilitation system. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 6273 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice

Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6286 Prime Sponsor, Senator Rivers: Addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6291 Prime Sponsor, Senator Wilson, L.: Streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6291 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6295 Prime Sponsor, Senator Dhingra: Creating a path to recovery for high users of behavioral health crisis and criminal justice systems. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6295 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2024

SB 6296 Prime Sponsor, Senator Boehnke: Establishing a retail industry work group. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

January 30, 2024

SB 6298 Prime Sponsor, Senator Frame: Concerning the duty of the clergy to report child abuse or neglect. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Rules for second reading.

January 30, 2024

SB 6299 Prime Sponsor, Senator Stanford: Protecting employee rights in the workplace with regards to the use of digital technology. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6299 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 31, 2024

SB 6300 Prime Sponsor, Senator Randall: Permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6300 be substituted therefor, and the substitute bill do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair and Randall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

January 26, 2024

SB 6303 Prime Sponsor, Senator Nguyen: Providing tax incentives to encourage energy storage system and component parts manufacturing in Washington. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

January 30, 2024

SHB 1241 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Addressing harassment. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2024

SHB 1717 Prime Sponsor, Committee on Appropriations: Supporting innovation at associate development organizations. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

January 30, 2024

SHB 1851 Prime Sponsor, Committee on Appropriations: Implementing the first approach skills training program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Human Services.

January 31, 2024

HB 1950 Prime Sponsor, Representative Slatter: Concerning the public service loan forgiveness program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

January 30, 2024

SGA 9329 DOUGLAS L. MOORE, appointed on February 6, 2023, for the term ending January 17, 2029, as Member of the Horse Racing Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 30, 2024

TWENTY FOURTH DAY, JANUARY 31, 2024

SGA 9345 ANDERS IBSEN, appointed on April 12, 2023, for the term ending June 30, 2026, as Member of the Gambling Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Hasegawa; Lovick and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier, Ranking Member; Boehnke; Gildon and MacEwen.

Referred to Committee on Rules for second reading.

January 30, 2024

SGA 9380 RAYMOND L. DELOS REYES, appointed on July 19, 2023, for the term ending September 25, 2025, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

January 30, 2024

SGA 9432 DOUGLASS A. NORTH, appointed on November 29, 2023, for the term ending December 31, 2026, as Member of the Public Disclosure Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 6158 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means and Senate Bill No. 6202 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules.

On motion of Senator Pedersen and without objection, the rules were suspended and the Committee on Rules was relieved of further consideration of Senate Bill No. 5799, concerning the sale of halal foods, and the measure was re-referred to the Committee on Ways & Means.

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

INTRODUCTION AND FIRST READING

SB 6312 by Senator Fortunato

AN ACT Relating to prohibiting the removal of a federal candidate from a ballot due to an allegation of insurrection

or rebellion unless the candidate has been convicted for insurrection or rebellion under federal law; and adding a new section to chapter 29A.68 RCW.

Referred to Committee on State Government & Elections.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

EHB 1964 by Representatives Ramos, Robertson, Reeves and Hackney; by request of Department of Licensing

AN ACT Relating to enhancing prorate and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information; amending RCW 46.87.020, 46.87.080, 46.87.350, 82.38.020, 82.38.072, 82.38.120, 82.38.140, 82.38.170, 82.38.220, 82.38.260, 82.38.270, 82.38.380, 82.42.118, and 82.42.210; reenacting and amending RCW 82.42.010; adding new sections to chapter 82.38 RCW; adding new sections to chapter 82.42 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

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

Senator Hawkins moved adoption of the following resolution:

SENATE RESOLUTION

8650

By Senators Hawkins and Mullet

WHEREAS, It is the practice of the Washington State Senate to recognize excellence in every field and endeavor; and

WHEREAS, The Mount Si High School Wildcats are the 2023 4A Washington Interscholastic Activities Association Girls' Cross Country State Champions; and

WHEREAS, The 2023 Mount Si High School Girls Cross Country Team won the program's first ever girls 4A state team title; and

WHEREAS, The Mount Si High School Girls Cross Country Team members demonstrated their team's strength as Aleeya Cossey came in fourth place at 18:20.70 and Hailey Cossey followed close behind at 18:28.90 arriving in fifth place. They were followed by teammates Ryan McLellan who came in sixteenth at 19:10.10, Addison Craig who came in eighteenth at 19:15.70, Brighton Dance who came in twenty-fifth at 19:23.70, Alexa Coughran who came in thirty-fifth at 19:36.30, and Ellie Kampschorr who came in sixty-first at 20:11.70; and

WHEREAS, The combined efforts of all team members carried the Wildcats to victory in the championship meet;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate congratulate the Mount Si High School Girls Cross Country Team on their state championship; and

BE IT FURTHER RESOLVED, That the Washington State Senate commend the Mount Si High School Girls Cross Country Team for their excellent performance and look forward to their future accomplishments.

APPOINTMENT OF JAY L. CUNNINGHAM

Senators Hawkins and Mullet spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8650.

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

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Valdez moved that Michael Fong, Senate Gubernatorial Appointment No. 9347, be confirmed as Director of the Department of Commerce - Agency Head.

Senators Valdez and Liias spoke in favor of passage of the motion.

MOTION

On motion of Senator Wagoner, Senators Fortunato, Rivers, Schoesler and Torres were excused.

APPOINTMENT OF MICHAEL FONG

The President declared the question before the Senate to be the confirmation of Michael Fong, Senate Gubernatorial Appointment No. 9347, as Director of the Department of Commerce - Agency Head.

The Secretary called the roll on the confirmation of Michael Fong, Senate Gubernatorial Appointment No. 9347, as Director of the Department of Commerce - Agency Head and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Saldaña

Excused: Senators Fortunato and Torres

Michael Fong, Senate Gubernatorial Appointment No. 9347, having received the constitutional majority was declared confirmed as Director of the Department of Commerce - Agency Head.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Jay L. Cunningham, Senate Gubernatorial Appointment No. 9365, be confirmed as a member of the University of Washington Board of Regents.

Senator Nobles spoke in favor of the motion.

The President declared the question before the Senate to be the confirmation of Jay L. Cunningham, Senate Gubernatorial Appointment No. 9365, as a member of the University of Washington Board of Regents.

The Secretary called the roll on the confirmation of Jay L. Cunningham, Senate Gubernatorial Appointment No. 9365, as a member of the University of Washington Board of Regents and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Torres

Jay L. Cunningham, Senate Gubernatorial Appointment No. 9365, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Regents.

MOTION

At 1:56 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus.

Senator Hasegawa announced a meeting of the Democratic Caucus.

The Senate was called to order at 2:25 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced energy employees of western Washington, including refinery workers, contractors, and marketers of the Western States Petroleum Association (WSPA) in Olympia for "Energy Worker Day in Olympia" and who were present in the galleries.

SECOND READING

SENATE BILL NO. 5808, by Senators Van De Wege, Lovick, Conway, Trudeau, Nguyen, Kuderer, Randall, Dhingra, Hunt, Valdez, Keiser, Stanford, Liias, Hasegawa, Shewmake, Mullet, Nobles, and Salomon

Granting interest arbitration to certain public safety telecommunicators.

MOTIONS

TWENTY FOURTH DAY, JANUARY 31, 2024

On motion of Senator Pedersen, Substitute Senate Bill No. 5808 was substituted for Senate Bill No. 5808 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5808, by Senate Committee on Labor & Commerce (originally sponsored by Van De Wege, Lovick, Conway, Trudeau, Nguyen, Kuderer, Randall, Dhingra, Hunt, Valdez, Keiser, Stanford, Liias, Hasegawa, Shewmake, Mullet, Nobles, and Salomon)

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5808 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5808.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5808 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Torres

SUBSTITUTE SENATE BILL NO. 5808, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5842, by Senators Kuderer, Frame, Dhingra, Hasegawa, Hunt, Nobles, Wellman, and Wilson, C.

Restricting the use of social security numbers by insurance companies for the purpose of determining child support debt.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 5842 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5842.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5842 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Torres

SENATE BILL NO. 5842, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5856, by Senators Hunt, Kuderer, Nobles, Valdez, and Wilson, C.

Concerning voter registration challenges.

The measure was read the second time.

MOTION

Senator Braun moved that the following amendment no. 504 by Senators Braun and Hunt be adopted:

On page 4, line 20, after "error;" strike "or"

On page 4, line 22, after "29A.08.112" insert "; or

(d) If the challenger provides an out-of-state address for the challenged voter, search the current official voter registration database for the jurisdiction of the address provided, or contact the election official's office in that jurisdiction and determine if the challenged voter has registered to vote in that jurisdiction more recently than the voter's Washington state registration"

Senators Braun and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 504 by Senators Braun and Hunt on page 4, line 20 to Senate Bill No. 5856.

The motion by Senator Braun carried and amendment no. 504 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, amendment no. 490 by Senators Braun and Hunt on page 4, line 20 to Senate Bill No. 5856 was withdrawn.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Senate Bill No. 5856 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5856.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5856 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Torres

ENGROSSED SENATE BILL NO. 5856, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5921, by Senators Stanford, Van De Wege, Conway, Hasegawa, Liias, Nguyen, Nobles, Trudeau, and Valdez

Concerning tribal representation on the state conservation commission.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Senate Bill No. 5921 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5921.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5921 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Torres

SENATE BILL NO. 5921, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5785, by Senators Warnick, Shewmake, Liias, Mullet, Nobles, Saldaña, and Van De Wege

Concerning department of fish and wildlife authority with regard to certain nonprofit and volunteer organizations.

MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 5785 was substituted for Senate Bill No. 5785 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5785, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Warnick, Shewmake, Liias, Mullet, Nobles, Saldaña, and Van De Wege)

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5785 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5785.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5785 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Torres

SUBSTITUTE SENATE BILL NO. 5785, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5883, by Senators Trudeau, Braun, Dhingra, Frame, Hasegawa, Kauffman, Nobles, Saldaña, Valdez, and Wilson, C.

Concerning the burden of proof for special education due process hearings.

The measure was read the second time.

MOTION

On motion of Senator Trudeau, the rules were suspended, Senate Bill No. 5883 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau, Hawkins and Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5883.

TWENTY FOURTH DAY, JANUARY 31, 2024

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5883 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Torres

SENATE BILL NO. 5883, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5801, by Senators Dozier, Pedersen, Hunt, Mullet, and Wilson, J.

Concerning special deposits.

MOTIONS

On motion of Senator Dozier, Substitute Senate Bill No. 5801 was substituted for Senate Bill No. 5801 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5801, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Dozier, Pedersen, Hunt, Mullet, and Wilson, J.)

Senator Dozier moved that the following amendment no. 496 by Senator Dozier be adopted:

On page 1, beginning on line 14, after ""Bank"" strike all material through line 18 and insert "has the same meaning as "financial institution" in RCW 30A.22.040. Each branch or separate office of a bank is a separate bank for the purpose of this chapter."

On page 4, line 14, after "chapter;" strike "or"

On page 4, line 15, after "(b)" insert "Previously established common law or application of statutes regarding deposits other than special deposits under this chapter; or

(c)"

On page 9, line 21, after "RCW" insert ", to be codified between chapters 30A.22 and 30A.32 RCW"

Senators Dozier and Stanford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 496 by Senator Dozier on page 1, line 14 to Substitute Senate Bill No. 5801.

The motion by Senator Dozier carried and amendment no. 496 was adopted by voice vote.

MOTION

On motion of Senator Dozier, the rules were suspended, Engrossed Substitute Senate Bill No. 5801 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5801.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5801 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Hasegawa

Excused: Senator Torres

ENGROSSED SUBSTITUTE SENATE BILL NO. 5801, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5913, by Senators Valdez, MacEwen, Hunt, and Nobles

Concerning communication between employees of state institutions of higher education and student athletes regarding name, image, and likeness use.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Senate Bill No. 5913 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5913.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5913 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Hasegawa
Excused: Senator Torres

SENATE BILL NO. 5913, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5974, by Senators Frame, Saldaña, Dhingra, Hasegawa, Kuderer, Nguyen, Nobles, Trudeau, and Wilson, C.

Concerning the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023.

MOTION

On motion of Senator Frame, Substitute Senate Bill No. 5974 was substituted for Senate Bill No. 5974 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5974, by Senate Committee on Human Services (originally sponsored by Frame, Saldaña, Dhingra, Hasegawa, Kuderer, Nguyen, Nobles, Trudeau, and Wilson, C.)

Senator Boehnke moved that the following amendment no. 502 by Senator Boehnke be adopted:

On page 2, line 15, after "The" strike "supreme court or the"

On page 2, line 25, after "a" strike "waiver of debt" and insert "judicial order to waive outstanding debt for any uncollectible legal financial obligations, other than restitution."

Beginning on line 27, after "Any" strike "waiver of debt" and insert "motion filed"

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

The President declared the question before the Senate to be the adoption of amendment no. 502 by Senator Boehnke on page 2, line 15 to Substitute Senate Bill No. 5974.

The motion by Senator Boehnke carried and amendment no. 502 was adopted by voice vote.

MOTION

On motion of Senator Frame, the rules were suspended, Engrossed Substitute Senate Bill No. 5974 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5974.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5974 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen,

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Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Torres

ENGROSSED SUBSTITUTE SENATE BILL NO. 5974, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5998, by Senators Hansen, Billig, Dhingra, Nguyen, and Saldaña

Timing of eligibility for vacation of nonfelony convictions.

MOTIONS

On motion of Senator Hansen, Substitute Senate Bill No. 5998 was substituted for Senate Bill No. 5998 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5998, by Senate Committee on Law & Justice (originally sponsored by Hansen, Billig, Dhingra, Nguyen, and Saldaña)

On motion of Senator Hansen, the rules were suspended, Substitute Senate Bill No. 5998 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5998.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5998 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

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

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

Excused: Senator Torres

SUBSTITUTE SENATE BILL NO. 5998, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

TWENTY FOURTH DAY, JANUARY 31, 2024

Senator Hansen: "Thank you Mr. President. So, I am deeply grateful to the body for welcoming me into this Chamber. It is wonderful to be here. As a token of my deep appreciation, I have brought you all a present in the form of carefully made fudge. Oh, I am giving..."

President Heck: "Please address your remarks to the rostrum."

Senator Hansen: "I do apologize. You'd think I'd never been here before. I have brought you all a delightful package of lovingly made hand crafted fudge. Not just any fudge, but dark caramel sea salt fudge from a small business. The Pages are passing this out. Oh, wait a second, there were nineteen 'no' votes, so you don't get fudge. We are taking this back. No, I am kidding. You get fudge, its fine. You can eat your fudge. So, we have, we have lovingly crafted dark chocolate sea salt caramel fudge from a small business in the District. I hope it is delicious and I hope this is a wonderful way to stave off you hunger in the mid-afternoon. Thank you to all my colleagues. It is a glory to be here."

REMARKS BY THE PRESIDENT

President Heck: "Congratulations on passage of your first bill as a member of the Washington State Senate, Senator Hansen. And thank you on behalf of all forty-nine members for the highest concentration of delicious calories ever shared with us."

PERSONAL PRIVILEGE

Senator Saldaña: "I would just like to, on behalf of our colleagues, or at least myself and the people of the 37th, welcome you to the Senate. It is, we've had opportunities to talk about our children, about Harry Potter, about D&D. I am still looking for a D&D dungeon master for my kid's club. He is a sixth grader and wants to restart up his group so I'm hoping that we could have some side conversations about that. I'm really grateful to have another working parent here. And welcome."

SECOND READING

SENATE BILL NO. 5790, by Senators Dhingra, Wellman, Kuderer, Nobles, Trudeau, Hunt, Fortunato, Hasegawa, Lovick, Saldaña, Stanford, Valdez, Van De Wege, and Wilson, C.

Concerning bleeding control equipment in schools.

The measure was read the second time.

MOTION

Senator Van De Wege moved that the following amendment no. 503 by Senator Van De Wege be adopted:

On page 1, line 4, after "chapter" strike "28A.320" and insert "28A.210"

On page 2, after line 27, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 28A.210 RCW to read as follows:

(1) Beginning in the 2026-27 school year, each school district shall acquire and maintain at least one semiautomatic external defibrillator on each school campus.

(2) The school district must comply with the requirements of RCW 70.54.310, including instruction on the use of the defibrillator, maintenance of the defibrillator, and notification of

the local emergency medical services organization about the location of the defibrillator.

(3) A person who uses a semiautomatic external defibrillator at the scene of an emergency is immune from civil liability pursuant to RCW 70.54.310.

(4) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW."

On page 1, beginning on line 1 of the title, after "to" strike the remainder of the title and insert "medical equipment in schools; and adding new sections to chapter 28A.210 RCW."

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

Senators Wellman and Holy spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 503 by Senator Van De Wege on page 1, line 4 to Senate Bill No. 5790.

The motion by Senator Van De Wege carried and amendment no. 503 was adopted by a rising vote.

PARLIAMENTARY INQUIRY

Senator Dhingra: "I apologize Mr. President, but if I were to make an objection to the scope of that amendment, is that too late to do so? Because I do believe that that amendment is beyond the scope of the bill."

RULING BY THE PRESIDENT

President Heck: "It is now the scope of the bill by virtue of your adoption of the amendment."

MOTION

Senator Dhingra moved that the following amendment no. 480 by Senator Dhingra be adopted:

On page 1, line 6, after "the" strike "2024-25" and insert "2026-27"

On page 2, after line 27, insert the following:

"(5) School districts are encouraged to implement the requirements in this section during the 2024-25 and 2025-26 school years.

(6) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW."

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

The President declared the question before the Senate to be the adoption of amendment no. 480 by Senator Dhingra on page 1, line 6 to Senate Bill No. 5790.

The motion by Senator Dhingra carried and amendment no. 480 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Senate Bill No. 5790 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Hawkins and Fortunato spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Wilson, J. was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5790.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5790 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Torres and Wilson, J.

ENGROSSED SENATE BILL NO. 5790, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5647, by Senators Torres, Conway, King, Lovelett, Wilson, C., and Wilson, J.

Providing temporary employees necessary information about school safety policies and procedures.

The measure was read the second time.

MOTION

On motion of Senator Hawkins, the rules were suspended, Senate Bill No. 5647 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Wagoner, Senator Fortunato was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5647.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5647 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

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

Excused: Senators Fortunato, Torres and Wilson, J.

SENATE BILL NO. 5647, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5794, by Senators King, Keiser, and Nobles

Concerning architecture licensing examinations.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5794 was substituted for Senate Bill No. 5794 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5794, by Senate Committee on Labor & Commerce (originally sponsored by King, Keiser, and Nobles)

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5794 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5794.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5794 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Fortunato, Torres and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5794, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8414, by Senators Lovick, Torres, Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, Muzzall, Nguyen, Nobles, Pedersen, Rivers, Saldaña, Shewmake, Stanford, Wagoner, Warnick, Wellman, Wilson, C., and Wilson, J.

TWENTY FOURTH DAY, JANUARY 31, 2024

Creating a joint select committee on civic health.

The measure was read the second time.

MOTION

On motion of Senator Lovick, the rules were suspended, Senate Concurrent Resolution No. 8414 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8414.

Senators Lovick, Short, Hunt, Boehnke, Kuderer and Muzzall spoke in favor of adoption of the resolution.

ROLL CALL

The Secretary called the roll on the adoption of Senate Concurrent Resolution No. 8414 and the resolution passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Torres and Wilson, J.

SENATE CONCURRENT RESOLUTION NO. 8414 having received a majority was adopted by voice vote.

MOTION

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

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

January 31, 2024

SB 5956 Prime Sponsor, Senator Wellman: Concerning the maximum per-pupil limit for enrichment levies. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5956 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier; McCune and Mullet.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Standing Committee report was referred to the committee as designated.

At 4:13 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Thursday, February 1, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, February 1, 2024

The Senate was called to order at 9:00 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Cassie Harris and Miss Elise Pelgrum, presented the Colors.

Page Miss Nilima Pahari led the Senate in the Pledge of Allegiance.

The prayer was offered by Father Peter Tynan, Chaplain at St. Martin's University, Lacey.

MOTIONS

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

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

MESSAGES FROM THE HOUSE

January 31, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1332,
SECOND ENGROSSED SUBSTITUTE
HOUSE BILL NO. 1362,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

January 31, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1635,
HOUSE BILL NO. 1867,
SUBSTITUTE HOUSE BILL NO. 1880,
HOUSE BILL NO. 2209,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

E2SHB 1332 by House Committee on Appropriations (originally sponsored by Representatives Lekanoff, Berry, Ramel, Rude, Reed, Donaghy, Pollet and Macri) AN ACT Relating to supporting public school instruction in tribal sovereignty and federally recognized Indian tribes; amending RCW 28A.300.105 and 28A.320.170; adding a new section to chapter 28A.305 RCW; creating a new section; and providing an expiration date.

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

2ESHB 1362 by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Stearns, Reeves, Abbarno, Gregerson, Lekanoff and Tharinger; by request of Office of Financial Management)

AN ACT Relating to improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports; amending RCW 43.43.545, 43.63A.510, 43.280.100, 61.24.163, 70A.420.050, 72.09.620, 77.135.090, 28B.77.220, 35.90.020, 43.21A.150, 43.60A.240, 43.61.040, 43.63A.068, 43.105.369, 47.01.330, 54.16.425, 72.09.765, 77.32.555, 82.14.470, and 82.32.765; creating a new section; and repealing RCW 13.32A.045, 19.02.055, 19.280.060, 43.31.980, 43.60A.101, and 62A.9A-527.

Referred to Committee on State Government & Elections.

HB 1635 by Representatives Mosbrucker, Walsh and Eslick

AN ACT Relating to limiting liability arising from the use of trained police dogs; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

HB 1867 by Representatives Walen, Chapman and Santos

AN ACT Relating to eliminating the estate tax filing requirement for certain estates involving a qualifying familial residence; amending RCW 83.100.050; and creating new sections.

Referred to Committee on Ways & Means.

HB 2209 by Representatives Thai, Ryu, Gregerson, Senn, Santos, Ramel, Reeves, Morgan, Reed, Fosse, Cortes, Macri, Doglio, Paul, Pollet and Riccelli

AN ACT Relating to celebrating lunar new year; reenacting and amending RCW 1.16.050; adding a new section to chapter 43.117 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

MOTIONS

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

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

Senator MacEwen moved adoption of the following resolution:

SENATE RESOLUTION
8664

TWENTY FIFTH DAY, FEBRUARY 1, 2024

By Senators MacEwen, J. Wilson, Braun, Lovick, L. Wilson, Holy, Muzzall, Torres, Hasegawa, Keiser, Wellman, Dozier, Fortunato, and Wagoner

WHEREAS, Sandra Day O'Connor has made significant contributions to the legal field and the advancement of women's rights; and

WHEREAS, Sandra Day O'Connor was born on March 26, 1930, in El Paso, Texas, and went on to graduate from Stanford Law School in 1952; and

WHEREAS, Sandra Day O'Connor made history by becoming the first woman to serve as a Justice on the Supreme Court of the United States, nominated by President Ronald Reagan and confirmed by the Senate in 1981; and

WHEREAS, Justice O'Connor's distinguished career on the Supreme Court spanned from 1981 to 2006, during which she played a crucial role in shaping important legal decisions; and

WHEREAS, Justice O'Connor was known for her thoughtful and pragmatic approach to the law, often serving as a swing vote in closely contested cases; and

WHEREAS, Sandra Day O'Connor has been a trailblazer for women in the legal profession, breaking barriers and inspiring countless individuals to pursue careers in law and public service; and

WHEREAS, Justice O'Connor has dedicated her life to the pursuit of justice, fairness, and the rule of law, leaving an indelible mark on the legal landscape of the United States;

NOW, THEREFORE, BE IT RESOLVED, That the State Senate of Washington express our deepest gratitude and admiration for the exemplary service and contributions of Sandra Day O'Connor to the United States Supreme Court and the nation; and

BE IT FURTHER RESOLVED, That we honor Justice Sandra Day O'Connor for her pioneering spirit, dedication to the principles of justice, and her enduring legacy as a trailblazer in the legal profession.

Senator MacEwen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8664.

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

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dozier moved that Isaac Marroquin, Senate Gubernatorial Appointment No. 9367, be confirmed as a member of the Washington State University Board of Trustees.

Senator Dozier spoke in favor of the motion.

APPOINTMENT OF ISAAC MARROQUIN

The President declared the question before the Senate to be the confirmation of Isaac Marroquin, Senate Gubernatorial Appointment No. 9367, as a member of the Washington State University Board of Trustees.

The Secretary called the roll on the confirmation of Isaac Marroquin, Senate Gubernatorial Appointment No. 9367, as a member of the Washington State University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

Isaac Marroquin, Senate Gubernatorial Appointment No. 9367, having received the constitutional majority was declared confirmed as a member of the Washington State University Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Sasha Mitchell, Senate Gubernatorial Appointment No. 9368, be confirmed as a member of the Central Washington University Board of Trustees.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF SASHA MITCHELL

The President declared the question before the Senate to be the confirmation of Sasha Mitchell, Senate Gubernatorial Appointment No. 9368, as a member of the Central Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Sasha Mitchell, Senate Gubernatorial Appointment No. 9368, as a member of the Central Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

Sasha Mitchell, Senate Gubernatorial Appointment No. 9368, having received the constitutional majority was declared confirmed as a member of the Central Washington University Board of Trustees.

MOTION

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

SECOND READING

SENATE BILL NO. 5800, by Senators Wilson, C., Torres, Billig, Kuderer, Mullet, Nobles, and Shewmake

Improving access to department of licensing issued documents by clarifying the application requirements for a minor, modifying the requirements for at-cost identicards, and studying the feasibility of reduced-fee identicards.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5800 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5800.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5800 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5800, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5804, by Senators Kuderer, Wellman, Dhingra, Frame, Hasegawa, Hunt, Liias, Lovelett, Nguyen, Nobles, Stanford, Valdez, and Wilson, C.

Concerning opioid overdose reversal medication in high schools.

MOTIONS

On motion of Senator Kuderer, Substitute Senate Bill No. 5804 was substituted for Senate Bill No. 5804 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5804, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Kuderer, Wellman, Dhingra, Frame, Hasegawa, Hunt, Liias, Lovelett, Nguyen, Nobles, Stanford, Valdez, and Wilson, C.)

Revised for Substitute: Concerning opioid overdose reversal medication in public schools.

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 5804 was advanced to third reading,

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

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5804.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5804 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5804, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5841, by Senators Lovick, Boehnke, Braun, Dhingra, Hasegawa, Kuderer, Liias, Lovelett, McCune, Padden, Randall, and Valdez

Requiring individuals convicted of offenses related to driving under the influence to pay financial support to minor children and dependents when the offense results in the death or disability of a parent.

MOTIONS

On motion of Senator Lovick, Substitute Senate Bill No. 5841 was substituted for Senate Bill No. 5841 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5841, by Senate Committee on Law & Justice (originally sponsored by Lovick, Boehnke, Braun, Dhingra, Hasegawa, Kuderer, Liias, Lovelett, McCune, Padden, Randall, and Valdez)

On motion of Senator Lovick, the rules were suspended, Substitute Senate Bill No. 5841 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5841.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5841 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

TWENTY FIFTH DAY, FEBRUARY 1, 2024

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

SUBSTITUTE SENATE BILL NO. 5841, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5887, by Senators Stanford, Dozier, Conway, and Mullet

Modifying the public accountancy act.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Senate Bill No. 5887 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5887.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5887 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5887, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8008, by Senator Wilson, J.

Designating mileposts 45 to 51 of state route number 6 as the Washington state patrol trooper Justin R. Schaffer memorial highway.

The measure was read the second time.

MOTION

On motion of Senator Wilson, J., the rules were suspended, Senate Joint Memorial No. 8008 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, J. was recognized for remarks on passage of the memorial.

EDITOR'S NOTE: At 9:43 a.m., as Senator Wilson began making remarks, the chamber sound system failed.

MOTION

At 9:46 a.m., at the request of the President and on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus during the unexpected break in the day's session.

Senator Warnick announced a meeting of the Republican Caucus during the unexpected break in the day's session.

The Senate was called to order at 10:58 a.m. by the President of the Senate, Lt. Governor Heck presiding.

The Senate resumed consideration of Senate Joint Memorial No. 8008 which had been deferred by technical issues and was on third reading and final passage.

Senators Wilson, J. and Liias spoke in favor of passage of the memorial.

MOTION

On motion of Senator Wagoner, Senator Holy was excused.

The President declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8008.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8008 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Holy

SENATE JOINT MEMORIAL NO. 8008, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5805, by Senators Frame, Boehnke, Kuderer, Nguyen, Nobles, Trudeau, and Wilson, C.

Developing a schedule for court appointment of attorneys for children and youth in dependency and termination proceedings.

The measure was read the second time.

MOTION

On motion of Senator Frame, the rules were suspended, Senate Bill No. 5805 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5805.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5805 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Senators Short and Warnick

Excused: Senator Holy

SENATE BILL NO. 5805, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5982, by Senators Cleveland, Robinson, Keiser, Dhingra, Van De Wege, Conway, Frame, Kuderer, Liias, Mullet, Nobles, Salomon, Trudeau, Valdez, and Wellman

Updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5982 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5982.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5982 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

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

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

Excused: Senator Holy

SENATE BILL NO. 5982, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SENATE BILL NO. 5180, by Senators Hunt, Hawkins, and Mullet

Adopting the interstate teacher mobility compact.

The bill was read on Third Reading.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5180.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5180 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 6053, by Senators Holy, Lovick, Mullet, Nguyen, Shewmake, Valdez, and Wilson, C.

Improving equitable access to postsecondary education.

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MOTIONS

On motion of Senator Holy, Substitute Senate Bill No. 6053 was substituted for Senate Bill No. 6053 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6053, by Senate Committee on Higher Education & Workforce Development (originally sponsored by Holy, Lovick, Mullet, Nguyen, Shewmake, Valdez, and Wilson, C.)

On motion of Senator Holy, the rules were suspended, Substitute Senate Bill No. 6053 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6053.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6053 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Gildon

SUBSTITUTE SENATE BILL NO. 6053, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8007, by Senators Kauffman, Hasegawa, and Hunt

Requesting Congress to fully fund 40 percent of the costs of IDEA.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Senate Joint Memorial No. 8007 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8007.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8007 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE JOINT MEMORIAL NO. 8007, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5880, by Senator Muzzall

Establishing a primary certification process for magnetic resonance imaging technologists.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 5880 was substituted for Senate Bill No. 5880 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5880, by Senate Committee on Health & Long-Term Care (originally sponsored by Muzzall)

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 5880 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5880.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5880 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5880, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5985, by Senators Hansen, Dhingra, Frame, Hasegawa, Hunt, Kuderer, Liias, Lovick, Nguyen, Pedersen, Stanford, Trudeau, Valdez, Wellman, and Wilson, C.

Concerning firearms background check program.

MOTIONS

On motion of Senator Hansen, Substitute Senate Bill No. 5985 was substituted for Senate Bill No. 5985 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5985, by Senate Committee on Law & Justice (originally sponsored by Hansen, Dhingra, Frame, Hasegawa, Hunt, Kuderer, Liias, Lovick, Nguyen, Pedersen, Stanford, Trudeau, Valdez, Wellman, and Wilson, C.)

Senator Hansen moved that the following amendment no. 491 by Senator Hansen be adopted:

On page 14, line 35, after "as" strike "~~((pistol and))~~ a firearm or" and insert "pistol and"

Senator Hansen spoke in favor of adoption of the amendment. Senator Fortunato spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 491 by Senator Hansen on page 14, line 35 to Substitute Senate Bill No. 5985.

The motion by Senator Hansen carried and amendment no. 491 was adopted by voice vote.

MOTION

On motion of Senator Hansen, the rules were suspended, Engrossed Substitute Senate Bill No. 5985 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hansen spoke in favor of passage of the bill.

Senators Wilson, L., Fortunato and Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5985.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5985 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5985, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 5884, by Senators Trudeau, Pedersen, Dhingra, Hasegawa, Lovelett, Nobles, Saldaña, Salomon, Stanford, and Valdez

Concerning court-ordered restitution in environmental criminal cases.

The measure was read the second time.

MOTION

Senator MacEwen moved that the following amendment no. 497 by Senator MacEwen be adopted:

On page 1, line 10, after "environment." insert "The court shall not order restitution under this section in the absence of an identifiable victim who suffered injury."

On page 1, line 15, after "environment." insert "The court shall not order restitution under this section in the absence of an identifiable victim who suffered injury."

On page 2, line 3, after "environment." insert "The court shall not order restitution under this section in the absence of an identifiable victim who suffered injury."

Senators MacEwen and Dozier spoke in favor of adoption of the amendment.

Senator Trudeau spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 497 by Senator MacEwen on page 1, line 10 to Senate Bill No. 5884.

The motion by Senator MacEwen did not carry and amendment no. 497 was not adopted by voice vote.

MOTION

On motion of Senator Trudeau, the rules were suspended, Senate Bill No. 5884 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Short and Dozier spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5884.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5884 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

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

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

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SENATE BILL NO. 5884, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5886, by Senators Braun, Keiser, Nobles, and Van De Wege

Adding purposes for the use of existing firefighter safety funding.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5886 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5886.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5886 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5886, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5368, by Senators Keiser, King, Conway, Schoesler, Randall, Torres, and Wilson, C.

Expanding access to the workers' compensation stay-at-work program through off-site light duty return to work opportunities.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5368 was substituted for Senate Bill No. 5368 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5368, by Senate Committee on Labor & Commerce (originally sponsored by Keiser, King, Conway, Schoesler, Randall, Torres, and Wilson, C.)

Senator Keiser moved that the following striking amendment no. 517 by Senator Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The state established the stay-at-work program to reduce long-term disability and the cost of injuries by incentivizing employers to provide injured workers light duty and transitional return-to-work opportunities. Data from the department of labor and industries indicates that the program has lowered the risk of long-term disability and can improve mental health and well-being for workers who return to positions that allow for the time necessary for healing and rehabilitation.

(2) However, current law only allows for light duty or transitional return to work with the employer of injury, limiting opportunities and creating inequities for workers and employers. Small employers are less likely to have suitable light duty jobs. Workers, particularly in small businesses, are less likely to have access to remote light duty work. Injured workers who move out-of-state are also less likely to have access to return-to-work opportunities, especially when the employer of injury cannot offer remote work options.

(3) The legislature hereby intends to provide more opportunities for workers to access return to work and for employers to take advantage of the stay-at-work program by allowing flexibility in matching injured workers to temporary positions with local nonprofits to perform light duty work. Workers eligible for the expanded program pursuant to RCW 51.32.090(4)(m) will receive a written notice in their preferred language that they have a right to reject a specific light duty job with a specific nonprofit. This approach preserves all protections for injured workers, reduces claim costs, transitions workers back to productive work more quickly while allowing for recuperation, and benefits local nonprofits by providing experienced workers for important service roles.

Sec. 2. RCW 51.32.090 and 2023 c 171 s 7 are each amended to read as follows:

(1) When the total disability is only temporary, the schedule of payments contained in RCW 51.32.060 (1) and (2) shall apply, so long as the total disability continues.

(2) Any compensation payable under this section for children not in the custody of the injured worker as of the date of injury shall be payable only to such person as actually is providing the support for such child or children pursuant to the order of a court of record providing for support of such child or children.

(3)(a) As soon as recovery is so complete that the present earning power of the worker, at any kind of work, is restored to that existing at the time of the occurrence of the injury, the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall:

(i) For claims for injuries that occurred before May 7, 1993, continue in the proportion which the new earning power shall bear to the old; or

(ii) For claims for injuries occurring on or after May 7, 1993, equal eighty percent of the actual difference between the worker's present wages and earning power at the time of injury, but: (A) The total of these payments and the worker's present wages may not exceed one hundred fifty percent of the average monthly wage in the state as computed under RCW 51.08.018; (B) the payments may not exceed one hundred percent of the entitlement as computed under subsection (1) of this section; and (C) the payments may not be less than the worker would have received if (a)(i) of this subsection had been applicable to the worker's claim.

(b) No compensation shall be payable under this subsection (3) unless the loss of earning power shall exceed five percent.

(c) The prior closure of the claim or the receipt of permanent partial disability benefits shall not affect the rate at which loss of earning power benefits are calculated upon reopening the claim.

(4)(a) The legislature finds that long-term disability and the cost of injuries is significantly reduced when injured workers remain at work following their injury. To encourage employers at the time of injury to provide light duty or transitional work for their workers, wage subsidies and other incentives are made available to employers insured with the department.

(b)(i) Whenever the employer of injury requests that a worker who is entitled to temporary total disability under this chapter be certified by the attending provider as able to perform available work other than his or her usual work, the employer shall furnish to the attending provider, with a contemporaneous copy to the worker in their preferred language, a ~~((statement describing the))~~ written job description of the light duty or transitional work available with the employer of injury, or with a nonprofit organization or charity pursuant to (m) of this subsection, in terms that will enable the attending provider to relate the activities of the job to the worker's disability. The attending provider shall then determine whether the worker is able to perform the work described. If more than 21 calendar days have passed since the attending provider's last appointment with the worker, the attending provider may meet with the worker, if the attending provider deems necessary, to determine whether the worker is able to perform the work. The attending provider's determination must be shared with both the worker and employer.

(ii) The worker shall accept or decline the light duty job offer within seven days after receiving notification that the attending provider has approved the job description. Failure to timely accept a valid light duty job offer shall result in termination of temporary total disability benefits except as described under (m)(v) of this subsection.

(iii) The worker's temporary total disability payments shall continue until the worker is released by ~~((his or her))~~ their attending provider for the work, and begins the light duty work with the employer of injury or with a nonprofit organization or charity pursuant to (m) of this subsection. If the light duty or transitional work thereafter comes to an end before the worker's recovery is sufficient in the judgment of his or her attending provider to permit him or her to return to his or her usual job, or to perform other available work offered ~~((by the employer of injury))~~ pursuant to this section, the worker's temporary total disability payments shall be resumed. Should the ~~((available))~~ light duty work ~~((described))~~, once undertaken by the worker, impede his or her recovery to the extent that in the judgment of his or her attending provider he or she should not continue to work, the worker's temporary total disability payments shall be resumed when the worker ceases such work.

(c) To further encourage employers to maintain the employment of their injured workers, an employer insured with the department and that offers work to a worker pursuant to this subsection (4) shall be eligible for reimbursement of the injured worker's wages for light duty or transitional work equal to ~~((fifty))~~ 50 percent of the basic, gross wages paid for that work, for a maximum of ~~((sixty-six))~~ 66 workdays within a consecutive ~~((twenty-four month))~~ 24-month period. In no event may the wage subsidies paid to an employer on a claim exceed ~~((ten thousand dollars))~~ \$10,000. Wage subsidies shall be calculated using the worker's basic hourly wages or basic salary, and no subsidy shall be paid for any other form of compensation or payment to the worker such as tips, commissions, bonuses, board, housing, fuel, health care, dental care, vision care, per diem, reimbursements for work-related expenses, or any other payments. An employer may not, under any circumstances,

receive a wage subsidy for a day in which the worker did not actually perform any work, regardless of whether or not the employer paid the worker wages for that day.

(d) If an employer insured with the department offers a worker work pursuant to this subsection (4) and the worker must be provided with training or instruction to be qualified to perform the offered work, the employer shall be eligible for a reimbursement from the department for any tuition, books, fees, and materials required for that training or instruction, up to a maximum of ~~((one thousand dollars))~~ \$1,000. Reimbursing an employer for the costs of such training or instruction does not constitute a determination by the department that the worker is eligible for vocational services authorized by RCW 51.32.095 and 51.32.099.

(e) If an employer insured with the department offers a worker work pursuant to this subsection (4), and the employer provides the worker with clothing that is necessary to allow the worker to perform the offered work, the employer shall be eligible for reimbursement for such clothing from the department, up to a maximum of ~~((four hundred dollars))~~ \$400. However, an employer shall not receive reimbursement for any clothing it provided to the worker that it normally provides to its workers. The clothing purchased for the worker shall become the worker's property once the work comes to an end.

(f) If an employer insured with the department offers a worker work pursuant to this subsection (4) and the worker must be provided with tools or equipment to perform the offered work, the employer shall be eligible for a reimbursement from the department for such tools and equipment and related costs as determined by department rule, up to a maximum of ~~((two thousand five hundred dollars))~~ \$2,500. An employer shall not be reimbursed for any tools or equipment purchased prior to offering the work to the worker pursuant to this subsection (4). An employer shall not be reimbursed for any tools or equipment that it normally provides to its workers. The tools and equipment shall be the property of the employer.

(g) An employer may offer work to a worker pursuant to this subsection (4) more than once, but in no event may the employer receive wage subsidies for more than ~~((sixty-six))~~ 66 days of work in a consecutive ~~((twenty-four month))~~ 24-month period under one claim. An employer may continue to offer work pursuant to this subsection (4) after the worker has performed ~~((sixty-six))~~ 66 days of work, but the employer shall not be eligible to receive wage subsidies for such work.

(h) An employer shall not receive any wage subsidies or reimbursement of any expenses pursuant to this subsection (4) unless the employer has completed and submitted the reimbursement request on forms developed by the department, along with all related information required by department rules. No wage subsidy or reimbursement shall be paid to an employer who fails to submit a form for such payment within one year of the date the work was performed. In no event shall an employer receive wage subsidy payments or reimbursements of any expenses pursuant to this subsection (4) unless the worker's attending provider has restricted him or her from performing his or her usual work and the worker's attending provider has released him or her to perform the work offered.

(i) Payments made under (b) through (g) of this subsection are subject to penalties under RCW 51.32.240(5) in cases where the funds were obtained through willful misrepresentation.

(j) Once the worker returns to work under the terms of this subsection (4), ~~((he or she))~~ the worker shall not be assigned by the employer to work other than the available work described ~~((without the worker's written consent, or))~~ without prior review and approval by the worker's attending provider. An employer

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who directs a claimant to perform work other than that approved by the attending provider and without the approval of the worker's attending provider shall not receive any wage subsidy or other reimbursements for such work.

(k) If the worker returns to work under this subsection (4), any employee health and welfare benefits that the worker was receiving at the time of injury shall continue or be resumed at the level provided at the time of injury. Such benefits shall not be continued or resumed if to do so is inconsistent with the terms of the benefit program, or with the terms of the collective bargaining agreement currently in force.

(l) In the event of any dispute as to the validity of the work offered or as to the worker's ability to perform the available work offered by the employer, the department shall make the final determination pursuant to an order that contains the notice required by RCW 51.52.060 and that is subject to appeal subject to RCW 51.52.050.

(m) An employer with 100 or fewer employees may offer light duty return to work to a worker pursuant to this subsection (4) with an established nonprofit organization or charity pursuant to (n) of this subsection, subject to the following parameters and conditions:

(i) The employer of injury may not disclose the worker's medical restrictions with the nonprofit organization or charity without the worker's written consent. If the worker does not consent to the disclosure of their medical restrictions with the nonprofit organization or charity, any approved light duty work must be with the employer of injury;

(ii) The employer of injury remains accountable for all reporting requirements;

(iii) The employer of injury remains responsible for any new injury or occupational disease incurred while the worker is on light duty return to work;

(iv) Offers made to a worker under this subsection (m) must include a written notice in the worker's preferred language that they have a right to reject a specific light duty job with a specific nonprofit;

(v) The injured worker does not forfeit any protections or benefits afforded to them under this title, and the injured worker may reject a light duty return-to-work offer or otherwise terminate the light duty return to work with the nonprofit organization or charity, in which case the injured worker's temporary total disability payments must continue or be resumed;

(vi) Except as otherwise provided under this subsection (4)(m), the offer of light duty return to work with the nonprofit organization or charity is subject to the same parameters and conditions as an offer of available work with the employer of injury;

(vii) The employer of injury may be eligible for reimbursement under (c) through (g) of this subsection if the department determines the employer qualifies; and

(viii) The worker's experience gained through any light duty work under this subsection (4)(m) with the nonprofit organization or charity may not be construed as acquisition of transferable skills and does not disqualify the injured worker from accessing vocational rehabilitation services or other retraining programs available under this title.

(n)(i) To offer light duty, transitional work with a nonprofit organization or charity under (m) of this subsection, the employer of injury must contract with a return-to-work employment agency approved by the department or work with a nonprofit organization or charity listed as active on a secretary of state website. The department must develop the criteria in rule for a return-to-work employment agency to receive department approval under this subsection.

(ii) The department must work with the vocational rehabilitation advisory committee established in RCW 51.32.096 to research and report on meaningful return-to-work outcomes and the benefits of return to work on workers' mental health. The advisory committee must also study the quality of the work and benefits to the worker of transitional return to work with nonprofit organizations and make recommendations for improving outcomes. The report must be submitted to the workers' compensation advisory committee by October 31, 2029, for consideration of additional legislation.

(5) An employer's experience rating shall not be affected by the employer's request for or receipt of wage subsidies.

(6) The department shall create a Washington stay-at-work account which shall be funded by assessments of employers insured through the state fund for the costs of the payments authorized by subsection (4) of this section and for the cost of creating a reserve for anticipated liabilities. Employers may collect up to one-half the fund assessment from workers.

(7) No worker shall receive compensation for or during the day on which injury was received or the three days following the same, unless his or her disability shall continue for a period of ~~((fourteen))~~ 14 consecutive calendar days from date of injury: PROVIDED, That attempts to return to work in the first ~~((fourteen))~~ 14 days following the injury shall not serve to break the continuity of the period of disability if the disability continues ~~((fourteen))~~ 14 days after the injury occurs.

(8) Should a worker suffer a temporary total disability and should his or her employer at the time of the injury continue to pay him or her the wages which he or she was earning at the time of such injury, such injured worker shall not receive any payment provided in subsection (1) of this section during the period his or her employer shall so pay such wages: PROVIDED, That holiday pay, vacation pay, sick leave, or other similar benefits shall not be deemed to be payments by the employer for the purposes of this subsection.

(9) In no event shall the monthly payments provided in this section:

(a) Exceed the applicable percentage of the average monthly wage in the state as computed under the provisions of RCW 51.08.018 as follows:

AFTER	PERCENTAGE
June 30, 1993	105%
June 30, 1994	110%
June 30, 1995	115%
June 30, 1996	120%

(b) For dates of injury or disease manifestation after July 1, 2008, be less than ~~((fifteen))~~ 15 percent of the average monthly wage in the state as computed under RCW 51.08.018 plus an additional ~~((ten dollars))~~ \$10 per month if the worker is married and an additional ~~((ten dollars))~~ \$10 per month for each child of the worker up to a maximum of five children. However, if the monthly payment computed under this subsection (9)(b) is greater than ~~((one hundred))~~ 100 percent of the wages of the worker as determined under RCW 51.08.178, the monthly payment due to the worker shall be equal to the greater of the monthly wages of the worker or the minimum benefit set forth in this section on June 30, 2008.

(10) If the supervisor of industrial insurance determines that the worker is voluntarily retired and is no longer attached to the workforce, benefits shall not be paid under this section.

(11) The department shall adopt rules as necessary to implement this section.

NEW SECTION. Sec. 3. This act takes effect January 1, 2026."

On page 1, line 3 of the title, after "workers;" strike the remainder of the title and insert "amending RCW 51.32.090; creating a new section; and providing an effective date."

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

MOTION

On motion of Senator Nobles, Senator Trudeau was excused.

The President declared the question before the Senate to be the adoption of striking amendment no. 517 by Senator Keiser to Substitute Senate Bill No. 5368.

The motion by Senator Keiser carried and striking amendment no. 517 was adopted by voice vote.

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5368 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5368.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5368 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

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

Voting nay: Senators Conway, Kuderer, Stanford and Wilson, C.

Excused: Senator Trudeau

ENGROSSED SUBSTITUTE SENATE BILL NO. 5368, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SENATE BILL NO. 5032, by Senators Padden, Lovick, Conway, Dhingra, Kuderer, Liias, Wagoner, and Wilson, L.

Extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Padden, the rules were suspended and Senate Bill No. 5032 was returned to second reading for the purposes of amendment.

Senator Padden moved that the following striking amendment no. 516 by Senators Padden and Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 9.94A RCW to read as follows:

(1) An offender is eligible for the special drug offender sentencing alternative for driving under the influence if the offender:

(a) Does not have a prior conviction under RCW 46.61.520, 46.61.522, 46.61.502(6), or 46.61.504(6); and either

(b) Is convicted of felony driving while under the influence of intoxicating liquor, cannabis, or any drug under RCW 46.61.502(6)(a); or

(c) Is convicted of felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6)(a).

(2) A motion for a special drug offender sentencing alternative for driving under the influence may be made by the court, the offender, or the state if the midpoint of the standard sentence range is 26 months or less. If an offender has a higher midpoint, a motion for a special drug offender sentencing alternative for driving under the influence can only be made by joint agreement of the state and offender.

(3) If the sentencing court determines that the offender is eligible for an alternative sentence under this section and that the alternative sentence is appropriate, the court shall waive imposition of a sentence within the standard sentence range and:

(a) Impose a sentence equivalent to a prison-based alternative under RCW 9.94A.662, and subject to the same requirements and restrictions as are established in that section, if the low end of the standard sentence range is greater than 24 months; or

(b) Impose a sentence consisting of a residential treatment-based alternative consistent with this section if the low end of the standard sentence range is 24 months or less.

(4)(a) To assist the court in making its determination, the court may order the department to complete either a risk assessment report or a substance use disorder screening report as provided in RCW 9.94A.500, or both.

(b) If the court is considering imposing a sentence under the residential substance use disorder treatment-based alternative, the court may order an examination of the offender by the department. The examination shall, at a minimum, address the following issues:

(i) Whether the offender suffers from a substance use disorder;

(ii) Whether effective treatment for the offender's substance use disorder is available from a provider that has been licensed or certified by the department of health; and

(iii) Whether the offender and the community will benefit from the use of the alternative.

(5) An offender who is eligible for a residential treatment-based alternative under this section shall be sentenced as follows:

(a) If necessary, an indeterminate term of confinement of no more than 30 days in a facility operated, licensed, or utilized under contract, by the county in order to facilitate direct transfer to a residential substance use disorder treatment facility;

(b) Treatment in a residential substance use disorder treatment program licensed or certified by the department of health for a period set by the court up to six months with treatment completion and continued care delivered in accordance with rules established

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by the department of health. In establishing rules pursuant to this subsection, the department of health must consider criteria established by the American society of addiction medicine;

(c) Twenty-four months of partial confinement to consist of 12 months work release followed by 12 months of home detention with electronic monitoring; and

(d) Twelve months of community custody.

(6)(a) During any period of partial confinement or community custody, the court shall impose treatment and other conditions as provided in RCW 9.94A.703 or as the court considers appropriate.

(b) The department may impose conditions and sanctions as authorized in RCW 9.94A.704 and 9.94A.737.

(c) The department shall, within available resources, make substance use disorder assessment and treatment services available to the offender.

(d) An offender sentenced to community custody under subsection (3)(a) of this section as part of the prison-based alternative or under subsection (3)(b) of this section as part of the residential treatment-based alternative may be required to pay \$30 per month while on community custody to offset the cost of monitoring for alcohol or controlled substances.

(7)(a) If the court imposes a sentence under subsection (3)(b) of this section, the treatment provider must send the treatment plan to the court within 30 days of the offender's arrival to the residential substance use disorder treatment program.

(b) Upon receipt of the plan, the court shall schedule a progress hearing during the period of treatment and schedule a treatment termination hearing for three months before the expiration of the term of community custody.

(c) Before the progress hearing and treatment termination hearing, the treatment provider and the department shall submit written reports to the court and parties regarding the offender's compliance with treatment and monitoring requirements and recommendations regarding termination from treatment.

(8) At a progress hearing or treatment termination hearing, the court may:

(a) Authorize the department to terminate the offender's community custody status on the expiration date determined under subsection (7) of this section;

(b) Continue the hearing to a date before the expiration date of community custody, with or without modifying the conditions of partial confinement or community custody; or

(c) Impose a term of total confinement equal to one-half the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

(9)(a) The court may bring any offender sentenced under subsection (3)(a) or (b) of this section back into court at any time on its own initiative to evaluate the offender's progress in treatment or to determine if any violations of the conditions of the sentence have occurred.

(b) If the offender is brought back to court, the court may modify the conditions of partial confinement or community custody or order the offender to serve a term of total confinement within the standard sentence range of the offender's current offense at any time during the period of partial confinement or community custody if the offender violates the conditions or requirements of the sentence or if the offender is failing to make satisfactory progress in treatment.

(c) An offender ordered to serve a term of total confinement under (b) of this subsection shall receive credit for any time previously served in total confinement or residential treatment under this section and shall receive 50 percent credit for any time previously served in partial confinement or community custody under this section.

(10) In serving a term of community custody imposed upon failure to complete, or administrative termination from, the special drug offender sentencing alternative program for driving under the influence under this section, the offender shall receive no credit for time served in community custody prior to termination of the offender's participation in the program.

(11) An offender sentenced under this section shall be subject to all rules relating to earned release time with respect to any period served in total or partial confinement.

(12) Costs of examinations and preparing the recommended service delivery plans under a special drug offender sentencing alternative for driving under the influence may be paid, at the option of the county, from funds provided to the county from the criminal justice treatment account under RCW 71.24.580.

Sec. 2. RCW 9.94A.030 and 2022 c 231 s 11 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within 880 feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere, and any issued certificates of restoration of opportunity pursuant to RCW 9.97.020.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon. However, when a defendant is charged with a recidivist offense, "criminal history" includes a vacated prior conviction for the sole purpose of establishing that such vacated prior conviction constitutes an element of the present recidivist offense as provided in RCW 9.94A.640(4)(b) and 9.96.060(7)(c).

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

- (a) To gain admission, prestige, or promotion within the gang;
- (b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;
- (c) To exact revenge or retribution for the gang or any member of the gang;
- (d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;
- (e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or
- (f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20)(a) "Domestic violence" has the same meaning as defined in RCW 10.99.020.

(b) "Domestic violence" also means: (i) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one intimate partner by another intimate partner as defined in RCW 10.99.020; or (ii) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one family or household member by another family or household member as defined in RCW 10.99.020.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense who are eligible for the option under RCW 9.94A.660.

(22) "Drug offender sentencing alternative for driving under the influence" is a sentencing option available to persons convicted of felony driving while under the influence of intoxicating liquor or any drug under RCW 46.61.502(6), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6) who are eligible under section 1 of this act.

(23) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

~~((23))~~ (24) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

~~((24))~~ (25) "Electronic monitoring" means tracking the location of an individual through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

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(b) Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location and which may also include electronic monitoring with victim notification technology that is capable of notifying a victim or protected party, either directly or through a monitoring agency, if the monitored individual enters within the restricted distance of a victim or protected party, or within the restricted distance of a designated location.

~~((25))~~ (26) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

~~((26))~~ (27) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

~~((27))~~ (28) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

~~((28))~~ (29) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

~~((29))~~ (30) "Home detention" is a subset of electronic monitoring and means a program of partial confinement available to offenders wherein the offender is confined in a private residence 24 hours a day, unless an absence from the residence is approved, authorized, or otherwise permitted in the order by the court or other supervising agency that ordered home detention, and the offender is subject to electronic monitoring.

~~((30))~~ (31) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

~~((31))~~ (32) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency

of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

~~((32))~~ (33) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age 14;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Sexual exploitation;

(p) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(q) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(r) Any other class B felony offense with a finding of sexual motivation;

(s) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(t) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(u)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of 14; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(v) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was 10 years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

~~((33))~~ (34) "Nonviolent offense" means an offense which is not a violent offense.

~~((34))~~ (35) "Offender" means a person who has committed a felony established by state law and is 18 years of age or older or is less than 18 years of age but whose case is under superior court

jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanor or gross misdemeanor probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

~~((35))~~ (36) "Partial confinement" means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention, electronic monitoring, or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program or the graduated reentry program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release, home detention, work crew, electronic monitoring, and a combination of work crew, electronic monitoring, and home detention.

~~((36))~~ (37) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Hate Crime (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person 18 years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

~~((37))~~ (38) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection ~~((37))~~ (38)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was 16 years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was 18 years of age or older when the offender committed the offense.

~~((38))~~ (39) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

~~((39))~~ (40) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

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~~((40))~~ (41) "Public school" has the same meaning as in RCW 28A.150.010.

~~((41))~~ (42) "Recidivist offense" means a felony offense where a prior conviction of the same offense or other specified offense is an element of the crime including, but not limited to:

- (a) Assault in the fourth degree where domestic violence is pleaded and proven, RCW 9A.36.041(3);
- (b) Cyber harassment, RCW 9A.90.120(2)(b)(i);
- (c) Harassment, RCW 9A.46.020(2)(b)(i);
- (d) Indecent exposure, RCW 9A.88.010(2)(c);
- (e) Stalking, RCW 9A.46.110(5)(b)(i) and (iii);
- (f) Telephone harassment, RCW 9.61.230(2)(a); and
- (g) Violation of a no-contact or protection order, RCW 7.105.450 or former RCW 26.50.110(5).

~~((42))~~ (43) "Repetitive domestic violence offense" means any:

- (a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;
- (ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;
- (iii) Domestic violence violation of a protection order under chapter 26.09, 26.26A, or 26.26B RCW or former chapter 26.50 RCW, or violation of a domestic violence protection order under chapter 7.105 RCW, that is not a felony offense;
- (iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or
- (v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

~~((43))~~ (44) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

~~((44))~~ (45) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

~~((45))~~ (46) "Serious traffic offense" means:

- (a)(i) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502)(~~nonfelony~~);
- (ii) Nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504)(~~reckless~~);
- (iii) Reckless driving (RCW 46.61.500)(~~or hit and run~~);
- (iv) Negligent driving if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522 while under the influence of intoxicating liquor or any drug (RCW 46.61.5249);
- (v) Reckless endangerment if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522 while under the influence of intoxicating liquor or any drug (RCW 9A.36.050); or
- (vi) Hit-and-run an attended vehicle (RCW 46.52.020(5)); or
- (b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

~~((46))~~ (47) "Serious violent offense" is a subcategory of violent offense and means:

- (a)(i) Murder in the first degree;
- (ii) Homicide by abuse;

- (iii) Murder in the second degree;
- (iv) Manslaughter in the first degree;
- (v) Assault in the first degree;
- (vi) Kidnapping in the first degree;
- (vii) Rape in the first degree;
- (viii) Assault of a child in the first degree; or
- (ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

~~((47))~~ (48) "Sex offense" means:

- (a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;
- (ii) A violation of RCW 9A.64.020;
- (iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;
- (iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or
- (v) A felony violation of RCW 9A.44.132(1) (failure to register as a sex offender) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register as a sex offender) or 9A.44.130 prior to June 10, 2010, on at least one prior occasion;
- (b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;
- (c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or
- (d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

~~((48))~~ (49) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

~~((49))~~ (50) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

~~((50))~~ (51) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

~~((51))~~ (52) "Stranger" means that the victim did not know the offender 24 hours before the offense.

~~((52))~~ (53) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for 24 hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

~~((53))~~ (54) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

~~((54))~~ (55) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

~~((55))~~ (56) "Victim of domestic violence" means an intimate partner or household member who has been subjected to the infliction of physical harm or sexual and psychological abuse by an intimate partner or household member as part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that intimate partner

or household member. Domestic violence includes, but is not limited to, the offenses listed in RCW 10.99.020 and 26.50.010 committed by an intimate partner or household member against a victim who is an intimate partner or household member.

~~((56))~~ (57) "Victim of sex trafficking, prostitution, or commercial sexual abuse of a minor" means a person who has been forced or coerced to perform a commercial sex act including, but not limited to, being a victim of offenses defined in RCW 9A.40.100, 9A.88.070, 9.68A.101, and the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq.; or a person who was induced to perform a commercial sex act when they were less than 18 years of age including but not limited to the offenses defined in chapter 9.68A RCW.

~~((57))~~ (58) "Victim of sexual assault" means any person who is a victim of a sexual assault offense, nonconsensual sexual conduct, or nonconsensual sexual penetration and as a result suffers physical, emotional, financial, or psychological impacts. Sexual assault offenses include, but are not limited to, the offenses defined in chapter 9A.44 RCW.

~~((58))~~ (59) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

~~((59))~~ (60) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

~~((60))~~ (61) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

~~((61))~~ (62) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

Sec. 3. RCW 9.94A.190 and 2018 c 166 s 5 are each amended to read as follows:

(1) A sentence that includes a term or terms of confinement totaling more than one year shall be served in a facility or institution operated, or utilized under contract, by the state, or in home detention pursuant to RCW 9.94A.6551 or the graduated reentry program under RCW 9.94A.733. Except as provided in subsection (3) or (5) of this section, a sentence of not more than one year of confinement shall be served in a facility operated, licensed, or utilized under contract, by the county, or if home detention or work crew has been ordered by the court, in the residence of either the offender or a member of the offender's immediate family.

(2) If a county uses a state partial confinement facility for the partial confinement of a person sentenced to confinement for not more than one year, the county shall reimburse the state for the use of the facility as provided in this subsection. The office of financial management shall set the rate of reimbursement based upon the average per diem cost per offender in the facility. The office of financial management shall determine to what extent, if any, reimbursement shall be reduced or eliminated because of funds provided by the legislature to the department for the purpose of covering the cost of county use of state partial confinement facilities. The office of financial management shall reestablish reimbursement rates each even-numbered year.

(3) A person who is sentenced for a felony to a term of not more than one year, and who is committed or returned to incarceration in a state facility on another felony conviction, either under the indeterminate sentencing laws, chapter 9.95 RCW, or under this chapter shall serve all terms of confinement, including a sentence of not more than one year, in a facility or institution operated, or utilized under contract, by the state, consistent with the provisions of RCW 9.94A.589.

(4) Notwithstanding any other provision of this section, a sentence imposed pursuant to RCW 9.94A.660 or section 1 of this act which has a standard sentence range of over one year, regardless of length, shall be served in a facility or institution operated, or utilized under contract, by the state.

(5) Sentences imposed pursuant to RCW 9.94A.507 shall be served in a facility or institution operated, or utilized under contract, by the state.

Sec. 4. RCW 9.94A.501 and 2021 c 242 s 2 are each amended to read as follows:

(1) The department shall supervise the following offenders who are sentenced to probation in superior court, pursuant to RCW 9.92.060, 9.95.204, or 9.95.210:

(a) Offenders convicted of:

(i) Sexual misconduct with a minor second degree;

(ii) Custodial sexual misconduct second degree;

(iii) Communication with a minor for immoral purposes; and

(iv) Violation of RCW 9A.44.132(2) (failure to register); and

(b) Offenders who have:

(i) A current conviction for a repetitive domestic violence offense where domestic violence has been pleaded and proven after August 1, 2011; and

(ii) A prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence has been pleaded and proven after August 1, 2011.

(2) Misdemeanor and gross misdemeanor offenders supervised by the department pursuant to this section shall be placed on community custody.

(3) The department shall supervise every felony offender sentenced to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk assessment classifies the offender as one who is at a high risk to reoffend.

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(4) Notwithstanding any other provision of this section, the department shall supervise an offender sentenced to community custody regardless of risk classification if the offender:

(a) Has a current conviction for a sex offense or a serious violent offense and was sentenced to a term of community custody pursuant to RCW 9.94A.701, 9.94A.702, or 9.94A.507;

(b) Has been identified by the department as a dangerous mentally ill offender pursuant to RCW 72.09.370;

(c) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017;

(d) Has a current conviction for violating RCW 9A.44.132(1) (failure to register) and was sentenced to a term of community custody pursuant to RCW 9.94A.701;

(e)(i) Has a current conviction for a domestic violence felony offense where domestic violence has been pleaded and proven after August 1, 2011, and a prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence was pleaded and proven after August 1, 2011. This subsection (4)(e)(i) applies only to offenses committed prior to July 24, 2015;

(ii) Has a current conviction for a domestic violence felony offense where domestic violence was pleaded and proven. The state and its officers, agents, and employees shall not be held criminally or civilly liable for its supervision of an offender under this subsection (4)(e)(ii) unless the state and its officers, agents, and employees acted with gross negligence;

(f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, 9.94A.670, 9.94A.711, ~~((e))~~ 9.94A.695, or section 1 of this act;

(g) Is subject to supervision pursuant to RCW 9.94A.745; or

(h) Was convicted and sentenced under RCW 46.61.520 (vehicular homicide), RCW 46.61.522 (vehicular assault), RCW 46.61.502(6) (felony DUI), or RCW 46.61.504(6) (felony physical control).

(5) The department shall supervise any offender who is released by the indeterminate sentence review board and who was sentenced to community custody or subject to community custody under the terms of release.

(6) The department is not authorized to, and may not, supervise any offender sentenced to a term of community custody or any probationer unless the offender or probationer is one for whom supervision is required under this section or RCW 9.94A.5011.

(7) The department shall conduct a risk assessment for every felony offender sentenced to a term of community custody who may be subject to supervision under this section or RCW 9.94A.5011.

(8) The period of time the department is authorized to supervise an offender under this section may not exceed the duration of community custody specified under RCW 9.94B.050, 9.94A.701 (1) through (9), or 9.94A.702, except in cases where the court has imposed an exceptional term of community custody under RCW 9.94A.535.

(9) The period of time the department is authorized to supervise an offender under this section may be reduced by the earned award of supervision compliance credit pursuant to RCW 9.94A.717.

Sec. 5. RCW 9.94A.505 and 2022 c 260 s 23 are each amended to read as follows:

(1) When a person is convicted of a felony, the court shall impose punishment as provided in this chapter.

(2)(a) The court shall impose a sentence as provided in the following sections and as applicable in the case:

(i) Unless another term of confinement applies, a sentence within the standard sentence range established in RCW 9.94A.510 or 9.94A.517;

(ii) RCW 9.94A.701 and 9.94A.702, relating to community custody;

(iii) RCW 9.94A.570, relating to persistent offenders;

(iv) RCW 9.94A.540, relating to mandatory minimum terms;

(v) RCW 9.94A.650, relating to the first-time offender waiver;

(vi) RCW 9.94A.660, relating to the drug offender sentencing alternative;

(vii) Section 1 of this act, relating to the drug offender sentencing alternative for driving under the influence;

(viii) RCW 9.94A.670, relating to the special sex offender sentencing alternative;

~~((viii))~~ (ix) RCW 9.94A.655, relating to the parenting sentencing alternative;

~~((ix))~~ (x) RCW 9.94A.695, relating to the mental health sentencing alternative;

~~((x))~~ (xi) RCW 9.94A.507, relating to certain sex offenses;

~~((xi))~~ (xii) RCW 9.94A.535, relating to exceptional sentences;

~~((xii))~~ (xiii) RCW 9.94A.589, relating to consecutive and concurrent sentences;

~~((xiii))~~ (xiv) RCW 9.94A.603, relating to felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug;

~~((xiv))~~ (xv) RCW 9.94A.711, relating to the theft or taking of a motor vehicle.

(b) If a standard sentence range has not been established for the offender's crime, the court shall impose a determinate sentence which may include not more than one year of confinement; community restitution work; a term of community custody under RCW 9.94A.702 not to exceed one year; and/or other legal financial obligations. The court may impose a sentence which provides more than one year of confinement and a community custody term under RCW 9.94A.701 if the court finds reasons justifying an exceptional sentence as provided in RCW 9.94A.535.

(3) If the court imposes a sentence requiring confinement of 30 days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than 30 days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(4) If a sentence imposed includes payment of a legal financial obligation, it shall be imposed as provided in RCW 9.94A.750, 9.94A.753, and 9.94A.760.

(5) Except as provided under RCW 9.94A.750(4) and 9.94A.753(4), a court may not impose a sentence providing for a term of confinement or community custody that exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(6) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(7) The sentencing court shall not give the offender credit for any time the offender was required to comply with an electronic monitoring program prior to sentencing if the offender was convicted of one of the following offenses:

(a) A violent offense;

(b) Any sex offense;

(c) Any drug offense;

(d) Reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050;

(e) Assault in the third degree as defined in RCW 9A.36.031;

(f) Assault of a child in the third degree;

(g) Unlawful imprisonment as defined in RCW 9A.40.040; or
 (h) Harassment as defined in RCW 9A.46.020.

(8) The court shall order restitution as provided in RCW 9.94A.750 and 9.94A.753.

(9) As a part of any sentence, the court may impose and enforce crime-related prohibitions and affirmative conditions as provided in this chapter. "Crime-related prohibitions" may include a prohibition on the use or possession of alcohol or controlled substances if the court finds that any chemical dependency or substance abuse contributed to the offense.

(10) In any sentence of partial confinement, the court may require the offender to serve the partial confinement in work release, in a program of home detention, on work crew, or in a combined program of work crew and home detention.

Sec. 6. RCW 9.94A.525 and 2023 c 415 s 2 are each amended to read as follows:

The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules are as follows:

The offender score is the sum of points accrued under this section rounded down to the nearest whole number.

(1)(a) A prior conviction is a conviction which exists before the date of sentencing for the offense for which the offender score is being computed. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed shall be deemed "other current offenses" within the meaning of RCW 9.94A.589.

(b) For the purposes of this section, adjudications of guilt pursuant to Title 13 RCW which are not murder in the first or second degree or class A felony sex offenses may not be included in the offender score.

(2)(a) Class A and sex prior felony convictions shall always be included in the offender score.

(b) Class B prior felony convictions other than sex offenses shall not be included in the offender score, if since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent (~~(ten)~~) 10 consecutive years in the community without committing any crime that subsequently results in a conviction.

(c) Except as provided in (e) of this subsection, class C prior felony convictions other than sex offenses shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent five consecutive years in the community without committing any crime that subsequently results in a conviction.

(d) Except as provided in (e) of this subsection, serious traffic convictions shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a conviction, if any, or entry of judgment and sentence, the offender spent five years in the community without committing any crime that subsequently results in a conviction.

(e) If the present conviction is felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)), all predicate crimes for the offense as defined by RCW 46.61.5055(14) shall be included in the offender score, and prior convictions for felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)) shall always

be included in the offender score. All other convictions of the defendant shall be scored according to this section.

(f) Prior convictions for a repetitive domestic violence offense, as defined in RCW 9.94A.030, shall not be included in the offender score if, since the last date of release from confinement or entry of judgment and sentence, the offender had spent (~~(ten)~~) 10 consecutive years in the community without committing any crime that subsequently results in a conviction.

(g) This subsection applies to both prior adult convictions and prior juvenile adjudications.

(3) Out-of-state convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law. Federal convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law. Neither out-of-state or federal convictions which would have been presumptively adjudicated in juvenile court under Washington law may be included in the offender score unless they are comparable to murder in the first or second degree or a class A felony sex offense. If there is no clearly comparable offense under Washington law or the offense is one that is usually considered subject to exclusive federal jurisdiction, the offense shall be scored as a class C felony equivalent if it was a felony under the relevant federal statute.

(4) Score prior convictions for felony anticipatory offenses (attempts, criminal solicitations, and criminal conspiracies) the same as if they were convictions for completed offenses.

(5)(a) In the case of multiple prior convictions, for the purpose of computing the offender score, count all convictions separately, except:

(i) Prior offenses which were found, under RCW 9.94A.589(1)(a), to encompass the same criminal conduct, shall be counted as one offense, the offense that yields the highest offender score. The current sentencing court shall determine with respect to other prior adult offenses for which sentences were served concurrently or prior juvenile offenses for which sentences were served consecutively, whether those offenses shall be counted as one offense or as separate offenses using the "same criminal conduct" analysis found in RCW 9.94A.589(1)(a), and if the court finds that they shall be counted as one offense, then the offense that yields the highest offender score shall be used. The current sentencing court may presume that such other prior offenses were not the same criminal conduct from sentences imposed on separate dates, or in separate counties or jurisdictions, or in separate complaints, indictments, or informations;

(ii) In the case of multiple prior convictions for offenses committed before July 1, 1986, for the purpose of computing the offender score, count all convictions or adjudications served concurrently as one offense. Use the conviction for the offense that yields the highest offender score.

(b) As used in this subsection (5), "served concurrently" means that: (i) The latter sentence was imposed with specific reference to the former; (ii) the concurrent relationship of the sentences was judicially imposed; and (iii) the concurrent timing of the sentences was not the result of a probation or parole revocation on the former offense.

(6) If the present conviction is one of the anticipatory offenses of criminal attempt, solicitation, or conspiracy, count each prior conviction as if the present conviction were for a completed offense. When these convictions are used as criminal history, score them the same as a completed crime.

(7) If the present conviction is for a nonviolent offense and not covered by subsection (11), (12), or (13) of this section, count one point for each adult prior felony conviction and one point for each

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juvenile prior violent felony conviction which is scorable under subsection (1)(b) of this section.

(8) If the present conviction is for a violent offense and not covered in subsection (9), (10), (11), (12), or (13) of this section, count two points for each prior adult violent felony conviction and juvenile violent felony conviction which is scorable under subsection (1)(b) of this section, and one point for each prior adult nonviolent felony conviction.

(9) If the present conviction is for a serious violent offense, count three points for prior adult convictions and juvenile convictions which are scorable under subsection (1)(b) of this section for crimes in this category, two points for each prior adult and scorable juvenile violent conviction (not already counted), and one point for each prior adult nonviolent felony conviction.

(10) If the present conviction is for Burglary 1, count prior convictions as in subsection (8) of this section; however count two points for each prior Burglary 2 or residential burglary conviction.

(11) If the present conviction is for a felony traffic offense count two points for each prior conviction for Vehicular Homicide or Vehicular Assault; for each felony offense count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which is scorable under subsection (1)(b) of this section; for each serious traffic offense, other than those used for an enhancement pursuant to RCW 46.61.520(2), count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which is scorable under subsection (1)(b) of this section; count one point for each adult prior conviction for operation of a vessel while under the influence of intoxicating liquor or any drug; count one point for a deferred prosecution granted under chapter 10.05 RCW for a second or subsequent violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance.

(12) If the present conviction is for homicide by watercraft or assault by watercraft count two points for each adult prior conviction for homicide by watercraft or assault by watercraft; for each felony offense count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which would be scorable under subsection (1)(b) of this section; count one point for each adult prior conviction for driving under the influence of intoxicating liquor or any drug, actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, or operation of a vessel while under the influence of intoxicating liquor or any drug.

(13) If the present conviction is for manufacture of methamphetamine count three points for each adult prior manufacture of methamphetamine conviction. If the present conviction is for a drug offense and the offender has a criminal history that includes a sex offense or serious violent offense, count three points for each adult prior felony drug offense conviction. All other felonies are scored as in subsection (8) of this section if the current drug offense is violent, or as in subsection (7) of this section if the current drug offense is nonviolent.

(14) If the present conviction is for Escape from Community Custody, RCW 72.09.310, count only adult prior escape convictions in the offender score. Count prior escape convictions as one point.

(15) If the present conviction is for Escape 1, RCW 9A.76.110, or Escape 2, RCW 9A.76.120, count adult prior convictions as one point and juvenile prior convictions which are scorable under subsection (1)(b) of this section as 1/2 point.

(16) If the present conviction is for Burglary 2 or residential burglary, count priors as in subsection (7) of this section; however, count two points for each prior Burglary 1 conviction,

and two points for each prior Burglary 2 or residential burglary conviction.

(17) If the present conviction is for a sex offense, count priors as in subsections (7) through (11) and (13) through (16) of this section; however, count three points for each adult prior sex offense conviction and juvenile prior class A felony sex offense adjudication.

(18) If the present conviction is for failure to register as a sex offender under RCW 9A.44.130 or 9A.44.132, count priors as in subsections (7) through (11) and (13) through (16) of this section; however, count three points for each adult prior sex offense conviction and juvenile prior sex offense conviction which is scorable under subsection (1)(b) of this section, excluding adult prior convictions for failure to register as a sex offender under RCW 9A.44.130 or 9A.44.132, which shall count as one point.

(19) If the present conviction is for an offense committed while the offender was under community custody, add one point. For purposes of this subsection, community custody includes community placement or postrelease supervision, as defined in chapter 9.94B RCW.

(20) If the present conviction is for Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, or Taking a Motor Vehicle Without Permission 2, count priors as in subsections (7) through (18) of this section; however count one point for prior convictions of Vehicle Prowling 2, and three points for each adult prior Theft 1 (of a motor vehicle), Theft 2 (of a motor vehicle), Possession of Stolen Property 1 (of a motor vehicle), Possession of Stolen Property 2 (of a motor vehicle), Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, or Taking a Motor Vehicle Without Permission 2 conviction.

(21) If the present conviction is for a felony domestic violence offense where domestic violence as defined in RCW 9.94A.030 was pleaded and proven, count priors as in subsections (7) through (20) of this section; however, count points as follows:

(a) Count two points for each adult prior conviction where domestic violence as defined in RCW 9.94A.030 was pleaded and proven after August 1, 2011, for any of the following offenses: A felony violation of a no-contact or protection order (RCW 7.105.450 or former RCW 26.50.110), felony Harassment (RCW 9A.46.020(2)(b)), felony Stalking (RCW 9A.46.110(5)(b)), Burglary 1 (RCW 9A.52.020), Kidnapping 1 (RCW 9A.40.020), Kidnapping 2 (RCW 9A.40.030), Unlawful imprisonment (RCW 9A.40.040), Robbery 1 (RCW 9A.56.200), Robbery 2 (RCW 9A.56.210), Assault 1 (RCW 9A.36.011), Assault 2 (RCW 9A.36.021), Assault 3 (RCW 9A.36.031), Arson 1 (RCW 9A.48.020), or Arson 2 (RCW 9A.48.030);

(b) Count two points for each adult prior conviction where domestic violence as defined in RCW 9.94A.030 was pleaded and proven after July 23, 2017, for any of the following offenses: Assault of a child in the first degree, RCW 9A.36.120; Assault of a child in the second degree, RCW 9A.36.130; Assault of a child in the third degree, RCW 9A.36.140; Criminal Mistreatment in the first degree, RCW 9A.42.020; or Criminal Mistreatment in the second degree, RCW 9A.42.030; and

(c) Count one point for each adult prior conviction for a repetitive domestic violence offense as defined in RCW 9.94A.030, where domestic violence as defined in RCW 9.94A.030, was pleaded and proven after August 1, 2011.

(22) The fact that a prior conviction was not included in an offender's offender score or criminal history at a previous sentencing shall have no bearing on whether it is included in the criminal history or offender score for the current offense. Prior convictions that were not counted in the offender score or included in criminal history under repealed or previous versions

of the sentencing reform act shall be included in criminal history and shall count in the offender score if the current version of the sentencing reform act requires including or counting those convictions. Prior convictions that were not included in criminal history or in the offender score shall be included upon any resentencing to ensure imposition of an accurate sentence.

Sec. 7. RCW 9.94A.633 and 2021 c 242 s 4 are each amended to read as follows:

(1)(a) An offender who violates any condition or requirement of a sentence may be sanctioned by the court with up to ~~((sixty))~~ 60 days' confinement for each violation or by the department with up to ~~((thirty))~~ 30 days' confinement as provided in RCW 9.94A.737.

(b) In lieu of confinement, an offender may be sanctioned with work release, home detention with electronic monitoring, work crew, community restitution, inpatient treatment, daily reporting, curfew, educational or counseling sessions, supervision enhanced through electronic monitoring, or any other community-based sanctions.

(2) If an offender was under community custody pursuant to one of the following statutes, the offender may be sanctioned as follows:

(a) If the offender was transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.728, the offender may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(b) If the offender was sentenced under the drug offender sentencing alternative set out in RCW 9.94A.660, the offender may be sanctioned in accordance with that section.

(c) If the offender was sentenced under the drug offender sentencing alternative for driving under the influence set out in section 1 of this act, the offender may be sanctioned in accordance with that section.

(d) If the offender was sentenced under the parenting sentencing alternative set out in RCW 9.94A.655, the offender may be sanctioned in accordance with that section.

~~((d))~~ (e) If the offender was sentenced under the special sex offender sentencing alternative set out in RCW 9.94A.670, the suspended sentence may be revoked and the offender committed to serve the original sentence of confinement.

~~((e))~~ (f) If the offender was sentenced under the mental health sentencing alternative set out in RCW 9.94A.695, the offender may be sanctioned in accordance with that section.

~~((f))~~ (g) If the offender was sentenced to a work ethic camp pursuant to RCW 9.94A.690, the offender may be reclassified to serve the unexpired term of his or her sentence in total confinement.

~~((g))~~ (h) If a sex offender was sentenced pursuant to RCW 9.94A.507, the offender may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(3) If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, the probationer may be sanctioned pursuant to subsection (1) of this section. The department shall have authority to issue a warrant for the arrest of an offender who violates a condition of community custody, as provided in RCW 9.94A.716. Any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. Nothing in this subsection is intended to limit the power of the sentencing court to respond to a probationer's violation of conditions.

(4) The parole or probation of an offender who is charged with a new felony offense may be suspended and the offender placed in total confinement pending disposition of the new criminal charges if:

(a) The offender is on parole pursuant to RCW 9.95.110(1); or

(b) The offender is being supervised pursuant to RCW 9.94A.745 and is on parole or probation pursuant to the laws of another state.

Sec. 8. RCW 9.94A.6332 and 2021 c 242 s 5 are each amended to read as follows:

The procedure for imposing sanctions for violations of sentence conditions or requirements is as follows:

(1) If the offender was sentenced under the drug offender sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW 9.94A.660.

(2) If the offender was sentenced under the drug offender sentencing alternative for driving under the influence, any sanctions shall be imposed by the department or the court pursuant to section 1 of this act.

(3) If the offender was sentenced under the special sex offender sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW 9.94A.670.

~~((3))~~ (4) If the offender was sentenced under the parenting sentencing alternative, any sanctions shall be imposed by the department or by the court pursuant to RCW 9.94A.655.

~~((4))~~ (5) If the offender was sentenced under the mental health sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW 9.94A.695.

~~((5))~~ (6) If a sex offender was sentenced pursuant to RCW 9.94A.507, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((6))~~ (7) If the offender was released pursuant to RCW 9.94A.730, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((7))~~ (8) If the offender was sentenced pursuant to RCW 10.95.030(3) or 10.95.035, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((8))~~ (9) In any other case, if the offender is being supervised by the department, any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, upon receipt of a violation hearing report from the department, the court retains any authority that those statutes provide to respond to a probationer's violation of conditions.

~~((9))~~ (10) If the offender is not being supervised by the department, any sanctions shall be imposed by the court pursuant to RCW 9.94A.6333.

Sec. 9. RCW 9.94A.660 and 2021 c 215 s 102 are each amended to read as follows:

(1) An offender is eligible for the special drug offender sentencing alternative if:

(a) The offender is convicted of a felony that is not a violent offense and the violation does not involve a sentence enhancement under RCW 9.94A.533 (3) or (4);

(b) The offender is convicted of a felony that is not a felony driving while under the influence of intoxicating liquor or any drug under RCW 46.61.502(6) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6);

(c) The offender has no current or prior convictions for a sex offense for which the offender is currently or may be required to register pursuant to RCW 9A.44.130;

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(d) The offender has no prior convictions in this state, and no prior convictions for an equivalent out-of-state or federal offense, for the following offenses during the following time frames:

(i) Robbery in the second degree that did not involve the use of a firearm and was not reduced from robbery in the first degree within seven years before conviction of the current offense; or

(ii) Any other violent offense within ~~((ten))~~ 10 years before conviction of the current offense;

(e) For a violation of the uniform controlled substances act under chapter 69.50 RCW or a criminal solicitation to commit such a violation under chapter 9A.28 RCW, the offense involved only a small quantity of the particular controlled substance as determined by the judge upon consideration of such factors as the weight, purity, packaging, sale price, and street value of the controlled substance;

(f) The offender has not been found by the United States attorney general to be subject to a deportation detainer or order and does not become subject to a deportation order during the period of the sentence; and

(g) The offender has not received a drug offender sentencing alternative under this section, or a drug offender sentencing alternative for driving under the influence under section 1 of this act, more than once in the prior ~~((ten))~~ 10 years before the current offense.

(2) A motion for a special drug offender sentencing alternative may be made by the court, the offender, or the state.

(3) If the sentencing court determines that the offender is eligible for an alternative sentence under this section and that the alternative sentence is appropriate, the court shall waive imposition of a sentence within the standard sentence range and impose a sentence consisting of either a prison-based alternative under RCW 9.94A.662 or a residential substance use disorder treatment-based alternative under RCW 9.94A.664. The residential substance use disorder treatment-based alternative is only available if the midpoint of the standard sentence range is ~~((twenty-six))~~ 26 months or less.

(4)(a) To assist the court in making its determination, the court may order the department to complete either or both a risk assessment report and a substance use disorder screening report as provided in RCW 9.94A.500.

(b) To assist the court in making its determination in domestic violence cases, the court shall order the department to complete a presentence investigation and a chemical dependency screening report as provided in RCW 9.94A.500, unless otherwise specifically waived by the court.

(5) If the court is considering imposing a sentence under the residential substance use disorder treatment-based alternative, the court may order an examination of the offender by the department. The examination must be performed by an agency licensed or certified by the department of health to provide substance use disorder services. The examination shall, at a minimum, address the following issues:

(a) Whether the offender suffers from a substance use disorder;

(b) ~~((Whether the substance use disorder is such that there is a probability that criminal behavior will occur in the future;~~

~~((e)))~~ Whether effective treatment for the offender's substance use disorder is available from a provider that has been licensed or certified by the department of health, and where applicable, whether effective domestic violence perpetrator treatment is available from a state-certified domestic violence treatment provider pursuant to RCW 43.20A.735; and

~~((d)))~~ (c) Whether the offender and the community will benefit from the use of the alternative.

(6) When a court imposes a sentence of community custody under this section:

(a) The court may impose conditions as provided in RCW 9.94A.703 and may impose other affirmative conditions as the court considers appropriate. In addition, an offender may be required to pay ~~((thirty dollars))~~ \$30 per month while on community custody to offset the cost of monitoring for alcohol or controlled substances, or in cases of domestic violence for monitoring with global positioning system technology for compliance with a no-contact order.

(b) The department may impose conditions and sanctions as authorized in RCW 9.94A.704 and 9.94A.737.

(7)(a) The court may bring any offender sentenced under this section back into court at any time on its own initiative to evaluate the offender's progress in treatment or to determine if any violations of the conditions of the sentence have occurred.

(b) If the offender is brought back to court, the court may modify the conditions of the community custody or impose sanctions under (c) of this subsection.

(c) The court may order the offender to serve a term of total confinement within the standard sentence range of the offender's current offense at any time during the period of community custody if the offender violates the conditions or requirements of the sentence or if the offender is failing to make satisfactory progress in treatment.

(d) An offender ordered to serve a term of total confinement under (c) of this subsection shall receive credit for time previously served in total or partial confinement and inpatient treatment under this section, and shall receive ~~((fifty))~~ 50 percent credit for time previously served in community custody under this section.

(8) In serving a term of community custody imposed upon failure to complete, or administrative termination from, the special drug offender sentencing alternative program, the offender shall receive no credit for time served in community custody prior to termination of the offender's participation in the program.

(9) An offender sentenced under this section shall be subject to all rules relating to earned release time with respect to any period served in total confinement.

(10) The Washington state institute for public policy shall submit a report to the governor and the appropriate committees of the legislature by November 1, 2022, analyzing the effectiveness of the drug offender sentencing alternative in reducing recidivism among various offender populations. An additional report is due November 1, 2028, and every five years thereafter. The Washington state institute for public policy may coordinate with the department and the caseload forecast council in tracking data and preparing the report.

Sec. 10. RCW 9.94A.701 and 2021 c 242 s 6 are each amended to read as follows:

(1) If an offender is sentenced to the custody of the department for one of the following crimes, the court shall, in addition to the other terms of the sentence, sentence the offender to community custody for three years:

(a) A sex offense not sentenced under RCW 9.94A.507; or

(b) A serious violent offense.

(2) A court shall, in addition to the other terms of the sentence, sentence an offender to community custody for ~~((eighteen))~~ 18 months when the court sentences the person to the custody of the department for a violent offense that is not considered a serious violent offense.

(3) A court shall, in addition to the other terms of the sentence, sentence an offender to community custody for one year when the court sentences the person to the custody of the department for:

(a) Any crime against persons under RCW 9.94A.411(2);

(b) An offense involving the unlawful possession of a firearm under RCW 9.41.040, where the offender is a criminal street gang member or associate;

(c) A felony offense under chapter 69.50 or 69.52 RCW, committed on or after July 1, 2000; or

(d) A felony violation of RCW 9A.44.132(1) (failure to register) that is the offender's first violation for a felony failure to register.

(4) If an offender is sentenced under the drug offender sentencing alternative, the court shall impose community custody as provided in:

(a) RCW 9.94A.660 and 9.94A.662 for a prison-based drug offender sentencing alternative;

(b) RCW 9.94A.660 and 9.94A.664 for a residential-based drug offender sentencing alternative;

(c) RCW 9.94A.662 and section 1(6) of this act for a prison-based drug offender sentencing alternative for driving under the influence; and

(d) Section 1 (5) and (6) of this act for a residential-based drug offender sentencing alternative for driving under the influence.

(5) If an offender is sentenced under the special sex offender sentencing alternative, the court shall impose community custody as provided in RCW 9.94A.670.

(6) If an offender is sentenced to a work ethic camp, the court shall impose community custody as provided in RCW 9.94A.690.

(7) If an offender is sentenced under the parenting sentencing alternative, the court shall impose a term of community custody as provided in RCW 9.94A.655.

(8) If the offender is sentenced under the mental health sentencing alternative, the court shall impose a term of community custody as provided in RCW 9.94A.695.

(9) If a sex offender is sentenced as a nonpersistent offender pursuant to RCW 9.94A.507, the court shall impose community custody as provided in that section.

(10) The term of community custody specified by this section shall be reduced by the court whenever an offender's standard sentence range term of confinement in combination with the term of community custody exceeds the statutory maximum for the crime as provided in RCW 9A.20.021.

Sec. 11. RCW 10.05.010 and 2019 c 263 s 701 are each amended to read as follows:

(1) In a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution (~~(program)~~). The petition shall be filed with the court at least seven days before the date set for trial but, upon a written motion and affidavit establishing good cause for the delay and failure to comply with this section, the court may waive this requirement subject to the defendant's reimbursement to the court of the witness fees and expenses due for subpoenaed witnesses who have appeared on the date set for trial. A person charged with a misdemeanor or gross misdemeanor shall not be eligible for a deferred prosecution unless the court makes specific findings pursuant to RCW 10.05.020.

(2) A person charged with a (~~traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW, or a misdemeanor or gross misdemeanor domestic violence offense,~~) violation of RCW 46.61.502 or 46.61.504 shall not be eligible for a deferred prosecution (~~(program)~~) unless the court makes specific findings pursuant to RCW 10.05.020. A person (~~(may not participate in a deferred prosecution program for a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW if he or she has participated in a deferred prosecution program for a prior traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW, and a person may not participate in a deferred~~

~~prosecution program for a misdemeanor or gross misdemeanor domestic violence offense if he or she has participated in a deferred prosecution program for a prior domestic violence offense)) who petitions the court for the deferred prosecution and participates in the deferred prosecution under this chapter for his or her first violation of RCW 46.61.502 or 46.61.504 is eligible to petition the court for a second deferred prosecution for the person's next violation of RCW 46.61.502 or 46.61.504 when the person has no other prior convictions defined as a "prior offense" under RCW 46.61.5055. The person's first deferred prosecution shall not be considered a prior offense for the purpose of granting a second deferred prosecution. Separate offenses committed more than seven days apart may not be consolidated in a single program.~~

(3) A person charged with a misdemeanor or a gross misdemeanor under chapter 9A.42 RCW shall not be eligible for a deferred prosecution (~~(program)~~) unless the court makes specific findings pursuant to RCW 10.05.020. Such person shall not be eligible for a deferred prosecution (~~(program)~~) more than once.

(4) A person is not eligible for a deferred prosecution (~~(program)~~) if the misdemeanor or gross misdemeanor domestic violence offense was originally charged as a felony offense in superior court.

(5) A person may petition a court for a second deferred prosecution while still under the jurisdiction of a court for the person's first deferred prosecution; however, the first deferred prosecution shall be revoked prior to the entry of the second deferred prosecution.

(6) A person may not be on two deferred prosecutions at the same time unless separate offenses are committed within seven days of each other and the person petitions to consolidate each offense into a single deferred prosecution.

(7) A person charged with a misdemeanor or gross misdemeanor for a violation of RCW 46.61.502 or 46.61.504 who does not participate in a deferred prosecution for his or her first violation of RCW 46.61.502 or 46.61.504 remains eligible to petition the court for a deferred prosecution pursuant to the terms of this section and specific findings made under RCW 10.05.020. Such person shall not be eligible for a deferred prosecution more than once.

Sec. 12. RCW 10.05.015 and 2019 c 263 s 702 are each amended to read as follows:

At the time of arraignment a person charged with a violation of RCW 46.61.502 or 46.61.504 or a misdemeanor or gross misdemeanor domestic violence offense may be given a statement by the court that explains the availability, operation, and effects of the deferred prosecution (~~(program)~~).

Sec. 13. RCW 10.05.020 and 2021 c 215 s 115 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the petitioner shall allege under oath in the petition that the wrongful conduct charged is the result of or caused by substance use disorders or mental (~~(problems)~~) health disorders or domestic violence behavior problems for which the person is in need of treatment and unless treated the probability of future recurrence is great, along with a statement that the person agrees to pay the cost of a diagnosis and treatment of the alleged problem or problems if financially able to do so. The petition shall also contain a case history and written assessment prepared by an approved (~~(substance use disorder treatment program)~~) behavioral health agency, approved for mental health services or substance use disorder services, as designated in chapter 71.24 RCW (~~(if the petition alleges a substance use disorder, by an approved mental health center if the petition alleges a mental~~

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problem)) or by a state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 ((if the petition alleges a domestic violence behavior problem)).

(2) In the case of a petitioner charged with a misdemeanor or gross misdemeanor under chapter 9A.42 RCW, the petitioner shall allege under oath in the petition that the petitioner is the natural or adoptive parent of the alleged victim; that the wrongful conduct charged is the result of parenting problems for which the petitioner is in need of services; that the petitioner is in need of child welfare services under chapter 74.13 RCW to improve his or her parenting skills in order to better provide his or her child or children with the basic necessities of life; that the petitioner wants to correct his or her conduct to reduce the likelihood of harm to his or her minor children; that in the absence of child welfare services the petitioner may be unable to reduce the likelihood of harm to his or her minor children; and that the petitioner has cooperated with the department of ((social and health services)) children, youth, and families to develop a plan to receive appropriate child welfare services; along with a statement that the person agrees to pay the cost of the services if he or she is financially able to do so. The petition shall also contain a case history and a written service plan from the department of ((social and health services)) children, youth, and families.

(3) Before entry of an order deferring prosecution, a petitioner shall be advised of his or her rights as an accused and execute, as a condition of receiving treatment, a statement that contains: (a) An acknowledgment of his or her rights; (b) an acknowledgment and waiver of the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, and the right to a jury trial; (c) a stipulation to the admissibility and sufficiency of the facts contained in the written police report; and (d) an acknowledgment that the statement will be entered and used to support a finding of guilty if the court finds cause to revoke the order granting deferred prosecution. The petitioner shall also be advised that he or she may, if he or she proceeds to trial and is found guilty, be allowed to seek suspension of some or all of the fines and incarceration that may be ordered upon the condition that he or she seek treatment and, further, that he or she may seek treatment from public and private agencies at any time without regard to whether or not he or she is found guilty of the offense charged. He or she shall also be advised that the court will not accept a petition for deferred prosecution from a person who: (i) Sincerely believes that he or she is innocent of the charges; (ii) sincerely believes that he or she does not, in fact, suffer from ((alcoholism, drug addiction, mental problems)) a substance use disorder, a mental health disorder, or domestic violence behavior problems; or (iii) in the case of a petitioner charged under chapter 9A.42 RCW, sincerely believes that he or she does not need child welfare services.

(4) Before entering an order deferring prosecution, the court shall make specific findings that: (a) The petitioner has stipulated to the admissibility and sufficiency of the facts as contained in the written police report; (b) the petitioner has acknowledged the admissibility of the stipulated facts in any criminal hearing on the underlying offense or offenses held subsequent to revocation of the order granting deferred prosecution; (c) the petitioner has acknowledged and waived the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, and the right to a jury trial; and (d) the petitioner's statements were made knowingly and voluntarily. Such findings shall be included in the order granting deferred prosecution.

Sec. 14. RCW 10.05.030 and 2023 c 102 s 17 are each amended to read as follows:

The arraigning judge upon consideration of the petition may continue the arraignment and refer such person for a diagnostic investigation and evaluation to:

(1) ((An approved substance use disorder treatment program)) A state-approved behavioral health agency, approved for substance use disorder services, as designated in chapter 71.24 RCW if the petition alleges a substance use disorder;

(2) ((An approved mental health center)) A state-approved behavioral health agency, approved for mental health services, as designated in chapter 71.24 RCW, if the petition alleges a mental ((problem)) health disorder;

(3) The department of ((social and health services)) children, youth, and families if the petition is brought under RCW 10.05.020(2); or

(4) An approved state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 if the petition alleges a domestic violence behavior problem.

Sec. 15. RCW 10.05.040 and 2018 c 201 s 9005 are each amended to read as follows:

The program to which such person is referred, or the department of ((social and health services)) children, youth, and families if the petition is brought under RCW 10.05.020(2), shall conduct an investigation and examination to determine:

(1) Whether the person suffers from the problem described;

(2) Whether the problem is such that if not treated, or if no child welfare services are provided, there is a probability that similar misconduct will occur in the future;

(3) Whether extensive and long term treatment is required;

(4) Whether effective treatment or child welfare services for the person's problem are available; and

(5) Whether the person is ((amenable)): (a) Amenable to treatment as demonstrated by (i) completion of residential treatment; (ii) completion of a minimum of 18 hours of intensive outpatient treatment, for substance use disorder petitions; (iii) completion of a minimum of six mental health sessions, for mental health disorder petitions; or (iv) completion of a minimum of six domestic violence treatment sessions for domestic violence petitions; or (b) willing to cooperate with child welfare services. The requirement for completing a minimum number of sessions may be waived if the court finds good cause.

Sec. 16. RCW 10.05.050 and 2018 c 201 s 9006 are each amended to read as follows:

(1) The program, or the department of ((social and health services)) children, youth, and families if the petition is brought under RCW 10.05.020(2), shall make a written report to the court stating its findings and recommendations after the examination required by RCW 10.05.040. If its findings and recommendations support treatment or the implementation of a child welfare service plan, it shall also recommend a treatment or service plan setting out:

(a) The type;

(b) Nature;

(c) Length;

(d) A treatment or service time schedule; and

(e) Approximate cost of the treatment or child welfare services.

(2) In the case of a child welfare service plan, the plan shall be designed in a manner so that a parent who successfully completes the plan will not be likely to withhold the basic necessities of life from his or her child.

(3) The report with the treatment or service plan shall be filed with the court and a copy given to the petitioner and petitioner's counsel. A copy of the treatment or service plan shall be given to the prosecutor by petitioner's counsel at the request of the prosecutor. The evaluation facility, or the department of ((social and health services)) children, youth, and families if the petition

is brought under RCW 10.05.020(2), making the written report shall append to the report a commitment by the treatment program or the department of ~~((social and health services))~~ children, youth, and families that it will provide the treatment or child welfare services in accordance with this chapter. The facility or the service provider shall agree to provide the court with a statement ~~((every three months for the first year and every six months for the second year))~~ monthly regarding (a) the petitioner's cooperation with the treatment or child welfare service plan proposed and (b) the petitioner's progress or failure in treatment or child welfare services. These statements shall be made as a declaration by the person who is personally responsible for providing the treatment or services.

Sec. 17. RCW 10.05.060 and 2009 c 135 s 1 are each amended to read as follows:

If the report recommends treatment, the court shall examine the treatment plan. If it approves the plan and the petitioner agrees to comply with its terms and conditions and agrees to pay the cost thereof, if able to do so, or arrange for the treatment, an entry shall be made upon the person's court docket showing that the person has been accepted for deferred prosecution. A copy of the treatment plan shall be filed with the court. If the charge be one that an abstract of the docket showing the charge, the date of the violation for which the charge was made, and the date of petitioner's acceptance is required to be sent to the department of licensing, an abstract shall be sent, and the department of licensing shall make an entry of the charge and of the petitioner's acceptance for deferred prosecution on the department's driving record of the petitioner. The entry is not a conviction for purposes of Title 46 RCW. Upon receipt of the abstract of the docket, the department shall issue the petitioner a probationary license in accordance with RCW 46.20.355, and the petitioner's driver's license shall be on probationary status for five years from the date of the violation that gave rise to the charge. The department shall maintain the record ~~((for ten years from date of entry of the order granting deferred prosecution))~~ consistent with the requirements of RCW 46.01.260.

Sec. 18. RCW 10.05.090 and 2010 c 269 s 10 are each amended to read as follows:

If a petitioner, who has been accepted for a deferred prosecution, fails or neglects to carry out and fulfill any term or condition of the petitioner's treatment plan or any term or condition imposed in connection with the installation of an interlock or other device under RCW 46.20.720, the facility, center, institution, or agency administering the treatment or the entity administering the use of the device, shall immediately report such breach to the court, the prosecutor, and the petitioner or petitioner's attorney of record, together with its recommendation. The court upon receiving such a report shall hold a hearing to determine whether the petitioner should be removed from the deferred prosecution ~~((program))~~. At the hearing, evidence shall be taken of the petitioner's alleged failure to comply with the treatment plan or device installation and the petitioner shall have the right to present evidence on his or her own behalf. The court shall either order that the petitioner continue on the treatment plan or be removed from deferred prosecution. If removed from deferred prosecution, the court shall enter judgment pursuant to RCW 10.05.020 and, if the charge for which the deferred prosecution was granted was a misdemeanor or gross misdemeanor under Title 46 RCW, shall notify the department of licensing of the removal and entry of judgment.

Sec. 19. RCW 10.05.100 and 1998 c 208 s 2 are each amended to read as follows:

If a petitioner is subsequently convicted of a similar offense that was committed while the petitioner was in a deferred

prosecution ~~((program))~~, upon notice the court shall remove the petitioner's docket from the deferred prosecution file and the court shall enter judgment pursuant to RCW 10.05.020.

Sec. 20. RCW 10.05.120 and 2019 c 263 s 705 are each amended to read as follows:

(1) Three years after receiving proof of successful completion of the ~~((two-year))~~ approved treatment ~~((program))~~ plan, and following proof to the court that the petitioner has complied with the conditions imposed by the court following successful completion of the ~~((two-year))~~ approved treatment ~~((program))~~ plan, but not before five years following entry of the order of deferred prosecution pursuant to a petition brought under RCW 10.05.020(1), the court shall dismiss the charges pending against the petitioner.

(2) When a deferred prosecution is ordered pursuant to a petition brought under RCW 10.05.020(2) and the court has received proof that the petitioner has successfully completed the child welfare service plan, or the plan has been terminated because the alleged victim has reached his or her majority and there are no other minor children in the home, the court shall dismiss the charges pending against the petitioner: PROVIDED, That in any case where the petitioner's parental rights have been terminated with regard to the alleged victim due to abuse or neglect that occurred during the pendency of the deferred prosecution, the termination shall be per se evidence that the petitioner did not successfully complete the child welfare service plan.

~~((3) When a deferred prosecution is ordered for a petition brought under RCW 10.05.020(1) involving a domestic violence behavior problem and the court has received proof that the petitioner has successfully completed the domestic violence treatment plan, the court shall dismiss the charges pending against the petitioner.))~~

Sec. 21. RCW 10.05.140 and 2019 c 263 s 706 are each amended to read as follows:

(1) As a condition of granting a deferred prosecution petition for a violation of RCW 46.61.502 or 46.61.504, the court shall order that the petitioner shall not operate a motor vehicle upon the public highways without a valid operator's license and proof of liability insurance. The amount of liability insurance shall be established by the court at not less than that established by RCW 46.29.490. As a condition of granting a deferred prosecution petition on any ~~((alcohol dependency))~~ substance use disorder-based case, the court shall also order the installation of an ignition interlock under RCW 46.20.720. The required periods of use of the interlock shall be not less than the periods provided for in RCW 46.20.720. As a condition of granting a deferred prosecution petition, the court may order the petitioner to make restitution and to pay costs as defined in RCW 10.01.160. To help ensure continued sobriety and reduce the likelihood of reoffense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for ~~((alcoholism or drugs))~~ substance use disorder, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. The court may terminate the deferred prosecution ~~((program))~~ upon violation of the deferred prosecution order.

(2) As a condition of granting a deferred prosecution petition for a case involving a domestic violence behavior problem:

(a) The court shall order the petitioner not to possess firearms and order the petitioner to surrender firearms under RCW 9.41.800; and

(b) The court may order the petitioner to make restitution and to pay costs as defined in RCW 10.01.160. In addition, to help

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ensure continued sobriety and reduce the likelihood of reoffense in co-occurring domestic violence and substance ~~((abuse))~~ use disorder or mental health disorder cases, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for ~~((alcoholism or drugs))~~ substance use disorder, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. The court may terminate the deferred prosecution ~~((program))~~ upon violation of the deferred prosecution order.

Sec. 22. RCW 10.05.150 and 2016 sp.s. c 29 s 527 are each amended to read as follows:

(1) A deferred prosecution ((program)) for ((alcoholism)) either substance use disorder or mental health co-occurring disorder shall be for a two-year period and shall include, but not be limited to, the following requirements:

~~((4))~~ (a) Total abstinence from alcohol and all other nonprescribed mind-altering drugs;

~~((2) Participation in an intensive inpatient or intensive outpatient program in a state approved substance use disorder treatment program;~~

~~(3) Participation in a minimum of two meetings per week of an alcoholism self help recovery support group, as determined by the assessing agency, for the duration of the treatment program;~~

~~(4) Participation in an alcoholism self help recovery support group, as determined by the assessing agency, from the date of court approval of the plan to entry into intensive treatment;~~

~~(5) Not less than weekly approved outpatient counseling, group or individual, for a minimum of six months following the intensive phase of treatment;~~

~~(6) Not less than monthly outpatient contact, group or individual, for the remainder of the two year deferred prosecution period;~~

~~(7) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician;~~

~~(8))~~ (b) All treatment within the purview of this section shall occur within or be approved by a state-approved ((substance use disorder treatment program)) behavioral health agency as described in chapter ((70.96A)) 71.24 RCW;

~~((9))~~ (c) Signature of the petitioner agreeing to the terms and conditions of the treatment program;

(d) Periodic, random urinalysis or breath analysis;

(e) If the petitioner fails to remain abstinent, a full substance use disorder reassessment and recommended treatment;

(f) No less than weekly approved outpatient counseling, whether group or individual, for a minimum of six months following the intensive phase of treatment;

(g) No less than monthly outpatient contact, whether group or individual, for the remainder of the two-year deferred prosecution period; and

(h) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician.

(2) A deferred prosecution for substance use disorder shall include the following requirements:

(a) Completion of an intensive outpatient treatment program or residential inpatient treatment program, depending on the severity of the diagnosis; and

(b) Participation in a minimum of two meetings per week of a substance use disorder self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program.

(3) A deferred prosecution for mental health co-occurring disorder shall include the following requirements:

(a) Completion of the requirements described in subsection (2) of this section, or completion of an outpatient program as determined by the petitioner's diagnostic evaluation; and

(b) Completion of individual or group mental health services.

Sec. 23. RCW 10.05.155 and 2019 c 263 s 708 are each amended to read as follows:

A deferred prosecution ~~((program))~~ for domestic violence behavior, or domestic violence co-occurring with substance abuse or mental health, must include, but is not limited to, the following requirements:

(1) Completion of a risk assessment;

(2) Participation in the level of treatment recommended by the program as outlined in the current treatment plan;

(3) Compliance with the contract for treatment;

(4) Participation in any ancillary or co-occurring treatments that are determined to be necessary for the successful completion of the domestic violence intervention treatment including, but not limited to, mental health or substance use treatment;

(5) Domestic violence intervention treatment within the purview of this section to be completed with a state-certified domestic violence intervention treatment program;

(6) Signature of the petitioner agreeing to the terms and conditions of the treatment program;

(7) Proof of compliance with any active order to surrender weapons issued in this program or related civil protection orders or no-contact orders.

NEW SECTION. Sec. 24. A new section is added to chapter 10.05 RCW to read as follows:

A deferred prosecution for mental health disorder where the wrongful conduct did not involve, and was not caused by, alcohol, drugs, or a substance use disorder, shall include treatment recommended by a state-approved mental health provider.

Sec. 25. RCW 10.05.170 and 1991 c 247 s 2 are each amended to read as follows:

As a condition of granting deferred prosecution, the court may order supervision of the petitioner during the period of deferral and may levy a monthly assessment upon the petitioner as provided in RCW 10.64.120. In a jurisdiction with a probation department, the court may appoint the probation department to supervise the petitioner. In a jurisdiction without a probation department, the court may appoint an appropriate person or agency to supervise the petitioner. A supervisor appointed under this section shall be required to do at least the following:

(1) If the charge for which deferral is granted relates to operation of a motor vehicle, at least once every ~~((six))~~ three months request ~~((from the department of licensing))~~ an abstract of the petitioner's driving record; ~~((and))~~

(2) At least once every month make contact with the petitioner ~~((or with any agency to which the petitioner has been directed for treatment as a part of the deferral))~~ until treatment is completed;

(3) Review the petitioner's criminal history at a minimum of every 90 days until the end of the deferral period; and

(4) Report known violations of supervision or law and noncompliance with conditions of the deferred prosecution to the court within five business days or as soon as practicable.

Sec. 26. RCW 46.20.355 and 2020 c 330 s 8 are each amended to read as follows:

(1) Upon receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon receipt of a notice of conviction of RCW 46.61.502 or 46.61.504, the department of licensing shall issue notice that 45 days after receipt, the person must apply for a probationary license, and order the person to surrender any nonprobationary Washington

state driver's license that may be in his or her possession. The department shall revoke the license, permit, or privilege to drive of any person who fails to surrender it as required by this section for one year, unless the license has been previously surrendered to the department, a law enforcement officer, or a court, or the person has completed an affidavit of lost, stolen, destroyed, or previously surrendered license, such revocation to take effect (~~(thirty)~~) 30 days after notice is given of the requirement for license surrender.

(2) The department shall place a person's driving privilege in probationary status as required by RCW 10.05.060 or 46.61.5055 for a period of five years from the date the probationary status is required to go into effect.

(3) Following receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon reinstatement or reissuance of a driver's license suspended or revoked as the result of a conviction of RCW 46.61.502 or 46.61.504, the department shall require the person to obtain a probationary license in order to operate a motor vehicle in the state of Washington, except as otherwise exempt under RCW 46.20.025. The department shall not issue the probationary license unless the person is otherwise qualified for licensing, and the person must renew the probationary license on the same cycle as the person's regular license would have been renewed until the expiration of the five-year probationary status period imposed under subsection (2) of this section.

(4) If a person is eligible for full credit under RCW 46.61.5055(9)(b)(ii) and, by the date specified in the notice issued under RCW 46.20.245, has completed the requirements under RCW 46.20.311 and paid the fee under subsection (5) of this section, the department shall issue a probationary license on the date specified in the notice with no further action required of the person.

(5) For each original issue or renewal of a probationary license under this section, the department shall charge a fee of (~~(fifty dollars)~~) \$50 in addition to any other licensing fees required. Except for when renewing a probationary license, the department shall waive the requirement to obtain an additional probationary license and the (~~(fifty-dollar)~~) \$50 fee if the person has a probationary license in his or her possession at the time a new probationary license is required.

(6) A probationary license shall enable the department and law enforcement personnel to determine that the person is on probationary status. The fact that a person's driving privilege is in probationary status or that the person has been issued a probationary license shall not be a part of the person's record that is available to insurance companies.

Sec. 27. RCW 46.20.385 and 2020 c 330 s 9 are each amended to read as follows:

(1)(a) Any person licensed under this chapter or who has a valid driver's license from another state, who is convicted of: (i) A violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance, or (ii) a violation of RCW 46.61.520(1)(a) or an equivalent local or out-of-state statute or ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1) (b) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520(1)(a), or (iv) RCW 46.61.522(1)(b) or an equivalent local or out-of-state statute or ordinance, or (v) RCW 46.61.522(1) (a) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522(1)(b) committed while under the influence of intoxicating liquor or any drug, or (vi) who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, or has had his or her license suspended, revoked, or denied under RCW 46.61.5055(11)(c), or who is

otherwise permitted under subsection (8) of this section, may submit to the department an application for an ignition interlock driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is eligible to receive the license, may issue an ignition interlock driver's license.

(b) A person may apply for an ignition interlock driver's license anytime, including immediately after receiving the notices under RCW 46.20.308 or after his or her license is suspended, revoked, or denied.

(c) An applicant under this subsection shall provide proof to the satisfaction of the department that a functioning ignition interlock device has been installed on all vehicles operated by the person.

(i) The department shall require the person to maintain the device on all vehicles operated by the person and shall restrict the person to operating only vehicles equipped with the device, for the remainder of the period of suspension, revocation, or denial, unless otherwise permitted under RCW 46.20.720(6).

(ii) Subject to any periodic renewal requirements established by the department under this section and subject to any applicable compliance requirements under this chapter or other law, an ignition interlock driver's license granted upon a suspension or revocation under RCW 46.61.5055 or 46.20.3101 extends through the remaining portion of any concurrent or consecutive suspension or revocation that may be imposed as the result of administrative action and criminal conviction arising out of the same incident.

(2) An applicant for an ignition interlock driver's license who qualifies under subsection (1) of this section is eligible to receive a license only if the applicant files satisfactory proof of financial responsibility under chapter 46.29 RCW.

(3) Upon receipt of evidence that a holder of an ignition interlock driver's license granted under this subsection no longer has a functioning ignition interlock device installed on all vehicles operated by the driver, the director shall give written notice by first-class mail to the driver that the ignition interlock driver's license shall be canceled. If at any time before the cancellation goes into effect the driver submits evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver, the cancellation shall be stayed. If the cancellation becomes effective, the driver may obtain, at no additional charge, a new ignition interlock driver's license upon submittal of evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver.

(4) A person aggrieved by the decision of the department on the application for an ignition interlock driver's license may request a hearing as provided by rule of the department.

(5) The director shall cancel an ignition interlock driver's license after receiving notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, no longer meets the eligibility requirements, or has been convicted of or found to have committed a separate offense or any other act or omission that under this chapter would warrant suspension or revocation of a regular driver's license. The department must give notice of the cancellation as provided under RCW 46.20.245. A person whose ignition interlock driver's license has been canceled under this section may reapply for a new ignition interlock driver's license if he or she is otherwise qualified under this section and pays the fee required under RCW 46.20.380.

(6)(a) Unless costs are waived by the ignition interlock company or the person is indigent under RCW 10.101.010, the applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of twenty-one dollars per month. Payments shall be made directly to

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the ignition interlock company. The company shall remit the additional fee to the department, except that the company may retain (~~twenty-five~~) 25 cents per month of the additional fee to cover the expenses associated with administering the fee.

(b) The department shall deposit the proceeds of the twenty-one dollar fee into the ignition interlock device revolving account. Expenditures from the account may be used only to administer and operate the ignition interlock device revolving account program. The department shall adopt rules to provide monetary assistance according to greatest need and when funds are available.

(7) The department shall adopt rules to implement ignition interlock licensing. The department shall consult with the administrative office of the courts, the state patrol, the Washington association of sheriffs and police chiefs, ignition interlock companies, and any other organization or entity the department deems appropriate.

(8)(a) Any person licensed under this chapter who is convicted of a violation of RCW 46.61.500 when the charge was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, may submit to the department an application for an ignition interlock driver's license under this section.

(b) A person who does not have any driver's license under this chapter, but who would otherwise be eligible under this section to apply for an ignition interlock license, may submit to the department an application for an ignition interlock license. The department may require the person to take any driver's licensing examination under this chapter and may require the person to also apply and qualify for a temporary restricted driver's license under RCW 46.20.391.

Sec. 28. RCW 46.20.720 and 2020 c 330 s 10 are each amended to read as follows:

(1) **Ignition interlock restriction.** The department shall require that a person may drive only a motor vehicle equipped with a functioning ignition interlock device:

(a) **Pretrial release.** Upon receipt of notice from a court that an ignition interlock device restriction has been imposed under RCW 10.21.055;

(b) **Ignition interlock driver's license.** As required for issuance of an ignition interlock driver's license under RCW 46.20.385;

(c) **Deferred prosecution.** Upon receipt of notice from a court that the person is participating in a deferred prosecution program under RCW 10.05.020 for a violation of:

(i) RCW 46.61.502 or 46.61.504 or an equivalent local ordinance; or

(ii) RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person would be required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person in the event of a conviction;

(d) **Post conviction.** After any applicable period of mandatory suspension, revocation, or denial of driving privileges, or upon fulfillment of day-for-day credit under RCW 46.61.5055(9)(b)(ii) for a suspension, revocation, or denial of driving privileges:

(i) Due to a conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance; or

(ii) Due to a conviction of a violation of RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person is required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person; or

(e) **Court order.** Upon receipt of an order by a court having jurisdiction that a person charged or convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle may drive only a motor vehicle equipped with a functioning ignition interlock. The court shall establish a specific alcohol set point at which the ignition interlock will prevent the vehicle from being started. The court shall also establish the period of time for which ignition interlock use will be required.

(2) **Alcohol set point.** Unless otherwise specified by the court for a restriction imposed under subsection (1)(e) of this section, the ignition interlock device shall have an alcohol set point that prevents the motor vehicle from being started when the breath sample provided has an alcohol concentration of 0.020 or more.

(3) **Duration of restriction.** A restriction imposed under:

(a) Subsection (1)(a) of this section shall remain in effect until:

(i) The court has authorized the removal of the device under RCW 10.21.055; or

(ii) The department has imposed a restriction under subsection (1)(b), (c), or (d) of this section arising out of the same incident.

(b) Subsection (1)(b) of this section remains in effect during the validity of any ignition interlock driver's license that has been issued to the person.

(c) Subsection (1)(c)(i) or (d)(i) of this section shall be for no less than:

(i) For a person who has not previously been restricted under this subsection, a period of one year;

(ii) For a person who has previously been restricted under (c)(i) of this subsection, a period of five years;

(iii) For a person who has previously been restricted under (c)(ii) of this subsection, a period of (~~ten~~) 10 years.

The restriction of a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and who committed the offense while one or more passengers under the age of (~~sixteen~~) 16 were in the vehicle shall be extended for an additional period as required by RCW 46.61.5055(6)(a).

For purposes of determining a period of restriction for a person restricted pursuant to a conviction under (d) of this subsection, a restriction based on a deferred prosecution under subsection (1)(c) of this section arising out of the same incident is not considered a prior restriction for purposes of this subsection.

(d) Subsection (1)(c)(ii) or (d)(ii) of this section shall be for a period of no less than six months.

(e) The period of restriction under (c) or (d) of this subsection shall be extended by (~~one hundred eighty~~) 180 days whenever the department receives notice that the restricted person has been convicted under RCW 46.20.740 or 46.20.750. If the period of restriction under (c) or (d) of this subsection has been fulfilled and cannot be extended, the department must add a new (~~one hundred eighty-day~~) 180-day restriction that is imposed from the date of conviction and is subject to the requirements for removal under subsection (4) of this section.

(f) Subsection (1)(e) of this section shall remain in effect for the period of time specified by the court.

(g) The period of restriction under (c) and (d) of this subsection based on incidents occurring on or after June 9, 2016, must be tolled for any period in which the person does not have an ignition interlock device installed on a vehicle owned or operated by the person unless the person receives a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. For all drivers restricted under this section with incidents and restriction start dates prior to June 9, 2016, a driver may apply to waive the restriction by applying for a determination from the department

that the person is unable to operate an ignition interlock device due to a physical disability. The department's determination that a person is unable to operate an ignition interlock device must be reasonable and be based upon good and substantial evidence. This determination is subject to review by a court of competent jurisdiction. The department may charge a person seeking a medical exemption under this subsection a reasonable fee for the assessment.

(4) **Requirements for removal.** A restriction imposed under subsection (1)(c) or (d) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying the following:

(a) That there have been none of the following incidents in the ~~((one hundred eighty))~~ 180 consecutive days prior to the date of release:

(i) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ~~((ten))~~ 10 minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;

(ii) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;

(iii) Failure to pass any random retest with a breath alcohol concentration of lower than 0.020 unless a subsequent test performed within ~~((ten))~~ 10 minutes registers a breath alcohol concentration lower than 0.020, and the digital image confirms the same person provided both samples;

(iv) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device; or

(v) Removal of the ignition interlock device by a person other than an ignition interlock technician certified by the Washington state patrol; and

(b) That the ignition interlock device was inspected at the conclusion of the ~~((one hundred eighty day))~~ 180-day period by an ignition interlock technician certified by the Washington state patrol and no evidence was found that the device was tampered with in the manner described in RCW 46.20.750.

(5) **Day-for-day credit.** (a) The time period during which a person has an ignition interlock device installed in order to meet the requirements of subsection (1)(b) of this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident.

(b) The department must also give the person a day-for-day credit for any time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates, other than those subject to the employer exemption under subsection (6) of this section.

(c) If the day-for-day credit granted under this subsection equals or exceeds the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident, and the person has already met the requirements for removal of the device under subsection (4) of this section, the department may waive the requirement that a device be installed or that the person again meet the requirements for removal.

(6) **Employer exemption.** (a) Except as provided in (b) of this subsection, the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment

during working hours. The person must provide the department with a declaration pursuant to chapter 5.50 RCW from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours. When the department receives a declaration under this subsection, it shall attach or imprint a notation on the person's driving record stating that the employer exemption applies.

(b) The employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment.

(c) The employer exemption does not apply to a person who is self-employed unless the person's vehicle is used exclusively for the person's employment.

(7) **Ignition interlock device revolving account.** In addition to any other costs associated with the use of an ignition interlock device imposed on the person restricted under this section, the person shall pay an additional fee of ~~((twenty one dollars))~~ \$21 per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional fee to the department to be deposited into the ignition interlock device revolving account, except that the company may retain ~~((twenty five))~~ 25 cents per month of the additional fee to cover the expenses associated with administering the fee. The department may waive the monthly fee if the person is indigent under RCW 10.101.010.

(8) **Foreign jurisdiction.** For a person restricted under this section who is residing outside of the state of Washington, the department may accept verification of installation of an ignition interlock device by an ignition interlock company authorized to do business in the jurisdiction in which the person resides, provided the device meets any applicable requirements of that jurisdiction. The department may waive one or more requirements for removal under subsection (4) of this section if compliance with the requirement or requirements would be impractical in the case of a person residing in another jurisdiction, provided the person is in compliance with any equivalent requirement of that jurisdiction. The department may waive the monthly fee required by subsection (7) of this section if collection of the fee would be impractical in the case of a person residing in another jurisdiction.

Sec. 29. RCW 46.20.740 and 2020 c 330 s 11 are each amended to read as follows:

(1) The department shall attach or imprint a notation on the driving record of any person restricted under RCW 46.20.720, 46.61.5055, or 10.05.140 stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock device. The department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person seeking reinstatement. If, based upon notification from the interlock provider or otherwise, the department determines that an ignition interlock required under this section is no longer installed or functioning as required, the department shall suspend the person's license or privilege to drive. Whenever the license or driving privilege of any person is suspended or revoked as a result of noncompliance with an ignition interlock requirement, the suspension shall remain in effect until the person provides notice issued by a company doing business in the state that a vehicle owned or operated by the person is equipped with a functioning ignition interlock device.

(2) It is a gross misdemeanor for a person with such a notation on his or her driving record to operate a motor vehicle that is not so equipped, unless the notation resulted from a restriction

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imposed as a condition of release and the restriction has been released by the court prior to driving. Any time a person is convicted under this section, the court shall immediately notify the department for purposes of RCW 46.20.720(3)(e). It is an affirmative defense, which the defendant must prove by a preponderance of the evidence, that the employer exemption in RCW 46.20.720(6) applies. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(3) Any sentence imposed for a violation of subsection (2) of this section shall be served consecutively with any sentence imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055.

Sec. 30. RCW 46.61.502 and 2022 c 16 s 40 are each amended to read as follows:

(1) A person is guilty of driving while under the influence of intoxicating liquor, cannabis, or any drug if the person drives a vehicle within this state:

(a) And the person has, within two hours after driving, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after driving, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor, cannabis, or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor, cannabis, and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state shall not constitute a defense against a charge of violating this section.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of alcohol after the time of driving and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of cannabis after the time of driving and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had a THC concentration of

5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by cannabis in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class B felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has three or more prior offenses within ~~((ten))~~ 15 years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.504(6).

Sec. 31. RCW 46.61.5055 and 2020 c 330 s 15 are each amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((twenty-four))~~ 24 consecutive hours nor more than ~~((three hundred sixty-four))~~ 364 days. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court, in its discretion, may order not less than ~~((fifteen))~~ 15 days of electronic home monitoring or a ~~((ninety-day))~~ 90-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((three hundred fifty dollars))~~ \$350 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Three hundred fifty dollars))~~ \$350 of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((forty-eight))~~ 48 consecutive hours nor more than ~~((three hundred sixty-four))~~ 364 days. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court, in its discretion, may order not less than ~~((thirty))~~ 30 days of electronic home monitoring or a ~~((one hundred twenty-day))~~ 120-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program testing as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which

the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(i) By a fine of not less than ~~((five hundred dollars))~~ \$500 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Five hundred dollars))~~ \$500 of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((thirty))~~ 30 days nor more than ~~((three hundred sixty four))~~ 364 days and ~~((sixty))~~ 60 days of electronic home monitoring. Thirty days of imprisonment and ~~((sixty))~~ 60 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory term of imprisonment and electronic home monitoring under this subsection (2)(a)(i), the court may order a minimum of either ~~((one hundred eighty))~~ 180 days of electronic home monitoring or a ~~((one hundred twenty day))~~ 120-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((five hundred dollars))~~ \$500 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Five hundred dollars))~~ \$500 of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((forty five))~~ 45 days nor more than ~~((three hundred sixty four))~~ 364 days and ~~((ninety))~~ 90 days of electronic home monitoring. Forty-five days of imprisonment and ~~((ninety))~~ 90 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or

mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of imprisonment and electronic home monitoring under this subsection (2)(b)(i), the court may order a minimum of either six months of electronic home monitoring or a ~~((one hundred twenty day))~~ 120-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((seven hundred fifty dollars))~~ \$750 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Seven hundred fifty dollars))~~ \$750 of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((ninety))~~ 90 days nor more than ~~((three hundred sixty four))~~ 364 days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and ~~((one hundred twenty))~~ 120 days of electronic home monitoring. Ninety days of imprisonment and ~~((one hundred twenty))~~ 120 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of ~~((ninety))~~ 90 days of imprisonment and ~~((one hundred twenty))~~ 120 days of electronic home monitoring, the court may order ~~((three hundred sixty))~~ 360 days of electronic home monitoring or a ~~((three hundred sixty day))~~ 360-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol

(ii) By a fine of not less than ~~((seven hundred fifty dollars))~~ \$750 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Seven hundred fifty dollars))~~ \$750 of the fine may not be suspended unless the court finds the offender to be indigent.

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((forty five))~~ 45 days nor more than ~~((three hundred sixty four))~~ 364 days and ~~((ninety))~~ 90 days of electronic home monitoring. Forty-five days of imprisonment and ~~((ninety))~~ 90 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or

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the offender may consume during the time the offender is on electronic home monitoring; and

(i) By a fine of not less than ~~((one thousand dollars))~~ \$1,000 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((One thousand dollars))~~ \$1,000 of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((one hundred twenty))~~ 120 days nor more than ~~((three hundred sixty four))~~ 364 days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and ~~((one hundred fifty))~~ 150 days of electronic home monitoring. One hundred twenty days of imprisonment and ~~((one hundred fifty))~~ 150 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of ~~((one hundred twenty))~~ 120 days of imprisonment and ~~((one hundred fifty))~~ 150 days of electronic home monitoring, the court may order ~~((three hundred sixty))~~ 360 days of electronic home monitoring or a ~~((three hundred sixty day))~~ 360-day period of 24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((one thousand five hundred dollars))~~ \$1,500 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((One thousand five hundred))~~ \$1,500 dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Three or more prior offenses in ~~((ten))~~ 15 years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has three or more prior offenses within ~~((ten))~~ 15 years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.** (a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the

installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while one or more passengers under the age of ~~((sixteen))~~ 16 were in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional ~~((twelve))~~ 12 months for each passenger under the age of ~~((sixteen))~~ 16 when the person is subject to the penalties under subsection (1)(a), (2)(a), or (3)(a) of this section; and order the use of an ignition interlock device for an additional ~~((eighteen))~~ 18 months for each passenger under the age of ~~((sixteen))~~ 16 when the person is subject to the penalties under subsection (1)(b), (2)(b), (3)(b), or (4) of this section;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ~~((twenty four))~~ 24 hours of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~ 16, and a fine of not less than ~~((one thousand dollars))~~ \$1,000 and not more than ~~((five thousand dollars))~~ \$5,000 for each passenger under the age of ~~((sixteen))~~ 16. ~~((One thousand dollars))~~ \$1,000 of the fine for each passenger under the age of ~~((sixteen))~~ 16 may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~ 16, and a fine of not less than ~~((two thousand dollars))~~ \$2,000 and not more than ~~((five thousand dollars))~~ \$5,000 for each passenger under the age of ~~((sixteen))~~ 16. One thousand dollars of the fine for each passenger under the age of ~~((sixteen))~~ 16 may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~ 16, and a fine of not less than ~~((three thousand dollars))~~ \$3,000 and not more than ~~((ten thousand dollars))~~ \$10,000 for each passenger under the age of ~~((sixteen))~~ 16. ~~((One thousand~~

dollars)) \$1,000 of the fine for each passenger under the age of ~~((sixteen))~~ 16 may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of ~~((forty-five))~~ 45 miles per hour or greater; and

(d) Whether a child passenger under the age of ~~((sixteen))~~ 16 was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the substance use disorder assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** (a) The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(i) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(A) Where there has been no prior offense within seven years, be suspended or denied by the department for ~~((ninety))~~ 90 days or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a ~~((ninety-day))~~ 90-day period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for fewer than two days;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for two years or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a six-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year; or

(C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(ii) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

(A) Where there has been no prior offense within seven years, be revoked or denied by the department for one year or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a one hundred twenty day period of 24/7 sobriety program monitoring. In no circumstances shall the license revocation be for fewer than four days;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for ~~((nine hundred))~~ 900 days; or

(C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(iii) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(A) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(C) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

(b)(i) The department shall grant credit on a day-for-day basis for a suspension, revocation, or denial imposed under this subsection (9) for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 arising out of the same incident.

(ii) If a person has already served a suspension, revocation, or denial under RCW 46.20.3101 for a period equal to or greater than the period imposed under this subsection (9), the department shall provide notice of full credit, shall provide for no further suspension or revocation under this subsection provided the person has completed the requirements under RCW 46.20.311 and paid the probationary license fee under RCW 46.20.355 by the date specified in the notice under RCW 46.20.245, and shall impose no additional reissue fees for this credit.

(c) Upon receipt of a notice from the court under RCW 36.28A.390 that a participant has been removed from a 24/7 sobriety program, the department must resume any suspension, revocation, or denial that had been terminated early under this subsection due to participation in the program, granting credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 or this section arising out of the same incident.

(d) Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

(e) For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to ~~((three hundred sixty-four))~~ 364 days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within

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this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, substance use disorder treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the convicted person to be confined for ~~((thirty))~~ 30 days, which shall not be suspended or deferred.

(c) ~~((For))~~ (i) Except as provided in (c)(ii) of this subsection, for each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for ~~((thirty))~~ 30 days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by ~~((thirty))~~ 30 days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection. The person may apply for an ignition interlock driver's license under RCW 46.20.385 during the suspension period.

(ii) For each incident involving a violation of RCW 46.20.342(1)(c), the court has discretion not to impose a suspension when the person provides the court with proof that the violation has been cured within 30 days. The court is not required to notify the department of the violation unless it is not cured within 30 days.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed ~~((three hundred sixty four))~~ 364 days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed ~~((three hundred sixty four))~~ 364 days.

(13) **Extraordinary medical placement.** An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary

medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1)(c).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (x), (xi), or (xii) of this subsection if committed in this state;

(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-

of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means substance use disorder treatment licensed or certified by the department of health;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ~~(ten)~~ 15 years" means that the arrest for a prior offense occurred within ~~(ten)~~ 15 years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 32. RCW 46.61.504 and 2022 c 16 s 42 are each amended to read as follows:

(1) A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if the person has actual physical control of a vehicle within this state:

(a) And the person has, within two hours after being in actual physical control of the vehicle, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after being in actual physical control of a vehicle, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state does not constitute a defense against any charge of violating this section. No person may be convicted under this section and it is an affirmative defense to any action pursuant to RCW 46.20.308 to suspend, revoke, or deny the privilege to drive if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section which the defendant must prove by a preponderance of the evidence that the defendant consumed a sufficient quantity of alcohol after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after being in such control. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of cannabis after the time of being in actual

physical control of the vehicle and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after being in control of the vehicle. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in such control, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in control of the vehicle, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by cannabis in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class C felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has three or more prior offenses within ~~(ten)~~ 15 years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.502(6).

NEW SECTION. Sec. 33. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 34. This act takes effect January 1, 2025."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "impaired driving; amending RCW 9.94A.030, 9.94A.190, 9.94A.501, 9.94A.505, 9.94A.525, 9.94A.633, 9.94A.6332, 9.94A.660, 9.94A.701, 10.05.010, 10.05.015, 10.05.020, 10.05.030, 10.05.040, 10.05.050, 10.05.060, 10.05.090, 10.05.100, 10.05.120, 10.05.140, 10.05.150, 10.05.155, 10.05.170, 46.20.355, 46.20.385, 46.20.720, 46.20.740, 46.61.502, 46.61.5055, and 46.61.504; adding a new section to chapter 9.94A RCW; adding a new section to chapter 10.05 RCW; providing an effective date; and prescribing penalties."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 516 by Senators Padden and Dhingra to Senate Bill No. 5032.

The motion by Senator Padden carried and striking amendment no. 516 was adopted by voice vote.

TWENTY FIFTH DAY, FEBRUARY 1, 2024

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Senate Bill No. 5032 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5032.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5032 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

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

Voting nay: Senators Hasegawa, Kauffman, Nguyen, Nobles and Saldaña

Excused: Senator Trudeau

ENGROSSED SENATE BILL NO. 5032, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:29 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Friday, February 2, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 2, 2024

The Senate was called to order at 9:00 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Satchel Black and Mr. Nolan Gaskill, presented the Colors.

Page Mr. Aiden Jugueta led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Mary Gear of Olympia Unitarian Universalist Congregation.

MOTIONS

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

There being no objection, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Commerce, Department of - *“Washington State’s Path in the Global Aerospace Race; AeroNex: Empowering Collaboration and Innovation in Aerospace Executive Summary”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Washington State’s Path in the Global Aerospace Race; AeroNex: Empowering Collaboration and Innovation in Aerospace”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Clean Buildings Legislative Report”*, pursuant to 19.27A.220 RCW; *“Creative Washington; Growing and Strengthening the Creative Economy”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Enterprise Services, Department of - *“Electric Vehicle Support Equipment Installation Using Transportation Budget Funding Interim Report June 2023 - January 2024 Letter of Transmittal”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Electric Vehicle Support Equipment Installation Using Transportation Budget Funding Interim Report June 2023 - January 2024”*, in accordance with Engrossed Substitute House Bill No. 1125;

Governor’s Interagency Council on Health Disparities - *“State Policy Action Plan to Eliminate Health Disparities, 2024 Update”*, pursuant to 43.20.280 RCW;

Health Care Authority - *“Foundational Community Supports (FCS); Housing Subsidies”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Medicaid Funding Options for Clinical Training Programs; Envisioning a Statewide Program for GME and Post-Graduate APP Training”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Rates Established for Ancillary Charges During Hospital Administrative Days”*, in accordance with Second Substitute Senate Bill No. 5103; *“Diabetes Epidemic and Action Report”*, pursuant to 70.330.020 RCW; *“Law Enforcement Assisted Diversion (LEAD) Pilot Program”*, in accordance with Engrossed Substitute Senate Bill No. 5187 and pursuant to 71.24.589 RCW; *“Apple Health and*

Homes; Program Launch Plan”, in accordance with Engrossed Substitute House Bill No. 1866; *“Community Health Worker Grant Program Update; Initial Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Behavioral Health Emergency Response and Coordination Services Pilot; Implementing Effective, Integrated, and Coordinated Services”*, in accordance with Engrossed Substitute Senate Bill No. 5693 and Engrossed Substitute Senate Bill No. 5187; *“Statewide SUD Prevalence and Cross-Sector Interactions: Inventory of Data and Reporting Capabilities Preliminary Report”*, in accordance with Second Engrossed Second Substitute Senate Bill No. 5536; *“Create and Expand Housing Supports for Adults with Behavioral Health Conditions”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Safe Supply Work Group Preliminary Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Intensive Outpatient and Partial Hospitalization Services Progress Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Substance Use and Recovery Services Plan”*, in accordance with Engrossed Senate Bill No. 5476 71.24.546 RCW;

Sheriffs and Police Chiefs, Washington Association of - *“Status of Sexual Assault Kits Biannual Report”*, pursuant to 5.70.060 RCW;

Transportation, Department of - *“Diesel Fuel Price Hedging FY 2023”*, pursuant to 47.60.830 RCW; *“Tort Judgements and Settlements Pertaining to WSF and non-WSF Operations, FY 2024 Qtrs 1 & 2”*, in accordance with Engrossed Substitute House Bill No. 1125;

Washington State University College of Veterinary Medicine - *“Elk Hoof Disease Annual Report 2023”*, pursuant to 77.12.272 RCW.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6313 by Senator Torres

AN ACT Relating to changing the use of funds for the Seattle Sounders FC special license plate; reenacting and amending RCW 46.68.420; and providing an effective date.

Referred to Committee on Transportation.

SB 6314 by Senator Nobles

AN ACT Relating to instruction on Asian American, Native Hawaiian, and Pacific Islander history in public schools; adding a new section to chapter 28A.655 RCW; and adding a new section to chapter 28A.320 RCW.

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

SB 6315 by Senator Robinson

AN ACT Relating to benefits available to retirees of the state’s retirement systems; amending RCW 41.32.4992, 41.40.1987, and 41.05.085; and adding a new section to chapter 41.05 RCW.

TWENTY SIXTH DAY, FEBRUARY 2, 2024

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1880 by House Committee on Consumer Protection & Business (originally sponsored by Representatives McClintock, Duerr, Ryu, Leavitt, Waters, Reed, Cheney and Reeves)

AN ACT Relating to architecture licensing examinations; amending RCW 18.08.360; and providing an effective date.

Referred to Committee on Labor & Commerce.

MOTIONS

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

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

Senator Nobles moved adoption of the following resolution:

SENATE RESOLUTION 8666

By Senators Nobles, Hansen, Stanford, Hasegawa, Lovick, Keiser, Dhingra, Billig, and Lovelett

WHEREAS, Reverend Gregory Christopher, Doctor of Ministry and Senior Pastor of Shiloh Baptist Church of Tacoma, Washington, for 24 years will retire in 2024 with his wife, Evelyn Christopher. Under Reverend Christopher's guidance, Shiloh Baptist Church has been a beacon of hope and service to the community, touching the lives of thousands; and

WHEREAS, Reverend Christopher was born in Chicago, Illinois, but grew up in Shreveport, Louisiana. Reverend Christopher announced his calling to the Ministry under the Pastoral leadership of Pastor Lonnie Brown, at The Body of Christ Christian Church in Tacoma, Washington, in 1989; and

WHEREAS, Reverend Christopher is a graduate of A.L. Hardy Academy of Theology, where he pursued and received a Doctor of Ministry, as well as a Master of Theology. He was licensed by the Body of Christ Christian Church in 1989, ordained by the Body of Christ Christian Church in 1990, and ordained by Shiloh Baptist Church in 1993; and

WHEREAS, Reverend Christopher's leadership has reached beyond the walls of Shiloh Baptist Church. His service has extended to where the city and state need it most, providing a space for community convening and healing. He is currently working on building 60 low-income apartments on the church property while, in the meantime, housing houseless men in the church; and

WHEREAS, Reverend Christopher is an At-Large Board Member of the National Baptist Convention, USA, Inc., and a member of the Tacoma Pierce County Black Collective. Previous posts he has held include being President of the Tacoma Ministerial Alliance, President of the North Pacific Baptist Convention, Dean of the Ebenezer Baptist District Association, President of the Tacoma Branch of the NAACP, Board Member of the Tacoma Urban League, and many more; and

WHEREAS, On February 18, 1989, Gregory and Evelyn Christopher were united in holy matrimony. They are the proud parents of five children, grandchildren, and great-grandchildren;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and congratulate Reverend Gregory Christopher and Mrs. Evelyn Christopher for their

steadfast commitment to Shiloh Baptist Church, the surrounding community, and the state.

Senator Nobles spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8666.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Rev. Gregory Christopher and Rev. Malando Redeemer who were seated in the gallery.

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Holy moved that Shaena M. Morgan, Senate gubernatorial Appointment No. 9369, be confirmed as a member of the Eastern Washington University Board of Trustees.

Senator Holy spoke in favor of the motion.

MOTIONS

On motion of Senator Nobles, Senator Salomon was excused.

On motion of Senator Wagoner, Senator Padden was excused.

APPOINTMENT OF SHAENA M. MORGAN

The President declared the question before the Senate to be the confirmation of Shaena M. Morgan, Senate gubernatorial Appointment No. 9369, as a member of the Eastern Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Shaena M. Morgan, Senate gubernatorial Appointment No. 9369, as a member of the Eastern Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Fortunato

Excused: Senator Salomon

Shaena M. Morgan, Senate gubernatorial Appointment No. 9369, having received the constitutional majority was declared confirmed as a member of the Eastern Washington University Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Shewmake moved that Max A. Stone, Senate Gubernatorial Appointment No. 9370, be confirmed as a member of the Western Washington University Board of Trustees.

Senator Shewmake spoke in favor of the motion.

APPOINTMENT OF MAX A. STONE

The President declared the question before the Senate to be the confirmation of Max A. Stone, Senate Gubernatorial Appointment No. 9370, as a member of the Western Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Max A. Stone, Senate Gubernatorial Appointment No. 9370, as a member of the Western Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Max A. Stone, Senate Gubernatorial Appointment No. 9370, having received the constitutional majority was declared confirmed as a member of the Western Washington University Board of Trustees.

MOTION

At 9:21 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 10:33 a.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 5995, by Senators Saldaña, Valdez, Kauffman, Trudeau, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, and Wilson, C.

Creating a professional license for spoken language interpreters and translators.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5995 was substituted for Senate Bill No. 5995 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5995, by Senate Committee on Labor & Commerce (originally sponsored by Saldaña, Valdez, Kauffman, Trudeau, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, and Wilson, C.)

Senator Saldaña moved that the following striking amendment no. 525 by Senator Saldaña be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the United States census reported that between 2015 and 2019, over 1.5 million Washington state residents over the age of five, approximately 20 percent of the state's population, spoke a language other than English at home, and that in 2019, according to the Washington state office of the superintendent of public instruction, 12 percent of the state's total primary and secondary education student population identified as English learners.

(2) The legislature finds that an inadequate number of individuals available to provide interpreting services to injured workers and medicaid enrollees with limited English proficiency potentially increases the liability risks for health care providers and negative health outcomes for these patients.

(3) The legislature finds that businesses and government agencies across Washington need access to professional language services to ensure their customers and clients with limited English proficiency can have meaningful access to participate in the programs, activities, and services offered by businesses and government agencies.

(4) Therefore, the legislature intends to create a professional licensing program for spoken language interpreters and translators to protect consumers and help meet the needs of all Washingtonians who require interpreting and translating services.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advisory committee" means the advisory committee on interpreting created in section 10 of this act.

(2) "Department" means the department of licensing.

(3) "Director" means the director of the department of licensing.

(4) "Interpreter" means an individual who interprets spoken languages and is licensed by the department of licensing.

(a) "Medical interpreter" means an interpreter who is licensed by the department who has received a medical endorsement.

(b) "Social services interpreter" means an interpreter who is licensed by the department who has received a social services endorsement.

(c) "Licensed certified interpreter" means an interpreter who is licensed by the department who has passed an exam of the individual's oral transfer skills in at least two of the following modes of interpretation: Simultaneous, consecutive, or sight.

(d) "Licensed authorized interpreter" means an interpreter who is licensed by the department who has passed an exam of the individual's oral transfer skills that were tested in the sight and consecutive modes through back translation.

(5) "Licensed translator" means a translator who translates spoken languages on written documents and is licensed by the department.

NEW SECTION. Sec. 3. The department must:

(1) Adopt rules necessary to implement this chapter;

(2) Establish reasonable examination, licensing, and renewal fees for spoken language interpreters and translators licensed under this chapter;

(3) Develop and administer examinations for licensure under this chapter, subject to section 4 of this act;

(4) Establish forms and procedures necessary to administer this chapter;

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(5) Beginning January 1, 2029, issue licenses to applicants who have met the department's requirements for obtaining a license and deny licenses to applicants who do not meet the requirements;

(6) Compile and maintain a current list of interpreters and translators licensed by the department;

(7) Provide staffing and administrative support to the advisory committee created in section 10 of this act;

(8) Determine which states, if any, have credentialing requirements equivalent to those of this state, and issue licenses to applicants credentialed in those states without examination;

(9) By July 1, 2029, adopt rules for licensure renewal, including for approval of continuing education activities licensees must complete as part of the individual's license renewal;

(10) Establish by rule the procedures for an appeal of an examination failure;

(11) Establish by rule the procedures for revoking licenses issued pursuant to this chapter and the procedures for an appeal of a revocation decision; and

(12) Periodically evaluate language access within the state to ensure Washingtonians are able to participate in the programs, activities, and services offered by businesses and government agencies.

NEW SECTION. Sec. 4. (1) Initially, the department must adopt the tests created by the language and testing certification program at the department of social and health services under RCW 74.04.025 as the examinations. The department may update any examination only after consulting with the advisory committee created in section 10 of this act.

(2) The department must administer examinations of applicants for licensure as a licensed certified interpreter in at least the following languages: Cantonese Chinese, Mandarin Chinese, Korean, Russian, Spanish, and Vietnamese.

(3) For languages in which the department does not offer certification licensure, the department must administer examinations to applicants for licensure as a licensed authorized interpreter.

(4) At a minimum, the department's licensure for certified and authorized interpreters must provide for a medical or social services endorsement.

(5) For applications for licensure as a licensed translator, the department must administer examinations in at least the following languages: Cantonese Chinese, Mandarin Chinese, Korean, Russian, Spanish, and Vietnamese.

NEW SECTION. Sec. 5. Nothing in this chapter will be construed to prohibit or restrict the provision of spoken language interpretation and translation services by individuals who are providing services within their authorized scope of practice and who are licensed, certified, qualified, authorized, or registered under other laws of this state including, but not limited to, chapters 2.43 and 28A.183 RCW and RCW 28A.410.271, or by individuals holding an active certification from the certification commission for healthcare interpreters or the national board of certification for medical interpreters.

NEW SECTION. Sec. 6. Beginning January 1, 2029, it is unlawful for any individual:

(1) To act or hold themselves out as a licensed interpreter or use the title of "licensed interpreter," unless the individual holds a valid license under this chapter, except if the individual is currently authorized under chapter 2.43 or 28A.183 RCW or working as a bilingual employee under RCW 74.04.025; or

(2) To act or hold themselves out as a licensed translator or use the title "licensed translator" unless the individual holds a valid license under this chapter.

NEW SECTION. Sec. 7. (1) Individuals holding an active certification from the certification commission for healthcare

interpreters or by the national board of certification for medical interpreters are exempt from the licensing requirement under this chapter, but may obtain the relevant licensure under this chapter without taking an examination.

(2)(a) Other than individuals included in (b) of this subsection, if an individual has an active interpreter or translator credential issued by the department of social and health services prior to January 1, 2029, the individual is eligible for the relevant licensure renewal under this chapter before the expiration date of the individual's current credential without examination.

(b) Individuals who received a credential issued by the department of social and health services based solely on having submitted a passing score on a written exam administered by the certification commission for healthcare interpreters or the national board of certification for medical interpreters are not eligible for the relevant licensure renewal under this chapter without passing the department's examination.

(c) Individuals who have an active certification by the department of social and health services in Cambodian or Laotian are eligible for renewal under this chapter as a licensed certified interpreter before the expiration date of the individual's credential regardless of whether the department is offering certification in Cambodian or Laotian.

(3) By July 1, 2028, the department of social and health services must transmit to the department all materials related to interpreters and translators certified and authorized by the department of social and health services, as requested by the department.

NEW SECTION. Sec. 8. (1) The director must establish, by rule, the requirements and fees for renewal of a license issued pursuant to this chapter.

(2) At a minimum, the requirements for license renewal must include:

(a) Completion of continuing education or training, including on ethics; and

(b) Renewal of the license after a four-year period.

(3) Failure to renew the license invalidates the license and all privileges granted by the license.

NEW SECTION. Sec. 9. (1) The department, the department of social and health services, the administrative office of the courts, the professional educator standards board, and the office of the superintendent of public instruction may collaborate and share data as necessary to carry out the licensure requirements of this chapter.

(2) By January 1, 2025, the department of social and health services must transmit all data, materials, and technology from its language testing and certification program to the department, including examination materials from prior to March 1, 2020, except that any materials for bilingual employee examinations in compliance with RCW 74.04.025 do not need to be transmitted.

(3) The department must post online a resource page that includes links to information that must be maintained by the relevant state agency on the number of requests for spoken language interpreter services that went unfilled for the department of social and health services, the department of children, youth, and families, the health care authority, the department of labor and industries, and the procurement process in RCW 39.26.300.

NEW SECTION. Sec. 10. (1) A licensed interpreter and translator advisory committee is created within the department on July 1, 2025. The committee consists of members in accordance with this subsection.

(a) Three members who provide spoken language interpretation or translation services in Washington state and who:

(i) Prior to January 1, 2029, were certified or authorized by the department of social and health services; and

(ii) Beginning January 1, 2029, are licensed by the department under this chapter;

(b) One member from a community organization that provides direct services to limited English speaking consumers;

(c) Three members who are health care providers, including at least one member representing a community health center and one member representing a university-based public hospital, who utilize state-paid interpreter services to provide health care services to injured workers or medicaid enrollees;

(d) Three individuals representing an exclusive collective bargaining representative of spoken language interpreters in the state. The individuals may represent the same union;

(e) One member each from the Washington state office of equity established in RCW 43.06D.020, the department of social and health services, the health care authority, the department of labor and industries, and the department of enterprise services;

(f) Two members representing a community and technical college. One member must be from a college east of the summit of the Cascade mountains and one member must be from a college west of the summit of the Cascade mountains.

(2) The director must appoint all members of the advisory committee. All members must be familiar with the practice of spoken language interpreter services and able to provide the department with expertise and assistance in carrying out the duties of this chapter. The agency members under subsection (1)(e) of this section must be appointed by their respective agency directors and then referred to the department for appointment to the advisory committee. The members under subsection (1)(f) of this section must be appointed by the executive director of the state board for community and technical colleges and then referred to the department for appointment to the advisory committee.

(3) The department must consult regularly with the advisory committee on issues related to interpreter and translator licensure and renewal.

NEW SECTION. Sec. 11. The uniform regulation of business and professions act, chapter 18.235 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licenses under this chapter.

Sec. 12. RCW 43.24.150 and 2017 c 281 s 40 are each amended to read as follows:

(1) The business and professions account is created in the state treasury. All receipts from business or professional licenses, registrations, certifications, renewals, examinations, or civil penalties assessed and collected by the department from the following chapters must be deposited into the account:

- (a) Chapter 18.11 RCW, auctioneers;
- (b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;
- (c) Chapter 18.145 RCW, court reporters;
- (d) Chapter 18.165 RCW, private investigators;
- (e) Chapter 18.170 RCW, security guards;
- (f) Chapter 18.185 RCW, bail bond agents;
- (g) Chapter 18.280 RCW, home inspectors;
- (h) Chapter 19.16 RCW, collection agencies;
- (i) Chapter 19.31 RCW, employment agencies;
- (j) Chapter 19.105 RCW, camping resorts;
- (k) Chapter 19.138 RCW, sellers of travel;
- (l) Chapter 42.45 RCW, notaries public;
- (m) Chapter 64.36 RCW, timeshares;
- (n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;
- (o) Chapter 18.300 RCW, body art, body piercing, and tattooing;

- (p) Chapter 79A.60 RCW, whitewater river outfitters;
- (q) Chapter 19.158 RCW, commercial telephone solicitation; ((and))

- (r) Chapter 19.290 RCW, scrap metal businesses; and
- (s) Chapter 18.--- RCW (the new chapter created in section 13 of this act), interpreters and translators.

Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for expenses incurred in carrying out these business and professions licensing activities of the department. Any residue in the account must be accumulated and may not revert to the general fund at the end of the biennium. However, during the 2013-2015 fiscal biennium the legislature may transfer to the state general fund such amounts as reflect the excess fund balance in the account.

(2) The director must biennially prepare a budget request based on the anticipated costs of administering the business and professions licensing activities listed in subsection (1) of this section, which must include the estimated income from these business and professions fees.

NEW SECTION. Sec. 13. Sections 1 through 11 of this act constitute a new chapter in Title 18 RCW."

On page 1, line 2 of the title, after "translators;" strike the remainder of the title and insert "amending RCW 43.24.150; and adding a new chapter to Title 18 RCW."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 525 by Senator Saldaña to Substitute Senate Bill No. 5995.

The motion by Senator Saldaña carried and striking amendment no. 525 was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5995 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5995.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5995 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5995, having received the constitutional majority, was declared passed.

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There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6271, by Senators Keiser, Stanford, Kuderer, and Mullet

Modifying the cannabis excise tax to consider THC concentration.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 6271 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6271.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6271 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

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

Voting nay: Senators Kauffman, Lovelett, Nguyen, Nobles and Trudeau

SENATE BILL NO. 6271, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SENATE BILL NO. 5632, by Senators Keiser, Cleveland, Conway, Hasegawa, Hunt, Kuderer, Lovelett, Stanford, Valdez, and Wilson, C.

Protecting the health care of workers participating in a labor dispute.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Keiser, the rules were suspended and Senate Bill No. 5632 was returned to second reading for the purposes of amendment.

Senator Keiser moved that the following striking amendment no. 500 by Senator Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 49.64 RCW to read as follows:

(1) By January 1, 2025, the health benefit exchange created under chapter 43.71 RCW must administer a worker health plan access assistance program to help Washingtonians who lose health care coverage provided by their employer or a joint labor management trust as a result of an active strike, lockout, or other labor dispute.

(2) Subject to the availability of state funding appropriated for this specific purpose, an individual and their dependents are eligible for the program created in subsection (1) of this section if the individual:

(a) Provides a self-attestation regarding loss of minimum essential health care coverage from an employer or joint labor management trust fund as a result of an active strike, lockout, or other labor dispute;

(b) Enrolls in a silver standardized health plan under RCW 43.71.095;

(c) Applies for and accepts all applicable federal and state subsidies for which the household may be eligible;

(d) Is ineligible for minimum essential coverage through medicare, a federal or state medical assistance program administered by the health care authority under chapter 74.09 RCW, or for premium assistance under RCW 43.71A.020; and

(e) Is eligible to purchase a qualified health plan through the health benefit exchange.

(3) The health benefit exchange may disqualify a participant from the program if the participant:

(a) No longer meets the eligibility criteria in subsection (2) of this section;

(b) Fails, without good cause, to comply with procedural or documentation requirements established by the health benefit exchange in accordance with subsection (5) of this section;

(c) Fails, without good cause, to notify the health benefit exchange when the minimum essential coverage provided by the employer or joint labor management trust fund is reinstated;

(d) Voluntarily withdraws from the program; or

(e) Performs an act, practice, or omission that constitutes fraud.

(4) The health benefit exchange may request, and applicable employer, labor organization, or other appropriate representatives, must provide, information to determine the status of a strike, lockout, or labor dispute, its impact to coverage, and any other information determined by the health benefit exchange as necessary to determine eligibility for financial assistance under this section.

(5) The health benefit exchange must establish requirements for the program established in subsection (1) of this section that include, but are not limited to:

(a) Procedural requirements for eligibility and continued participation, including participant documentation requirements that are necessary to administer the program;

(b) Procedural requirements for facilitating payments to and from carriers; and

(c) A process for providing enrollment assistance.

NEW SECTION. Sec. 2. This act may be known and cited as the worker health care protection act."

On page 1, line 2 of the title, after "dispute;" strike the remainder of the title and insert "adding a new section to chapter 49.64 RCW; and creating a new section."

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

Senator King spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 500 by Senator Keiser to Senate Bill No. 5632.

The motion by Senator Keiser carried and striking amendment no. 500 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Senate Bill No. 5632 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5632.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5632 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

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

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

ENGROSSED SENATE BILL NO. 5632, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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

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

The measure was read the second time.

MOTION

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

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5419.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5419 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

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

MOTION

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

SECOND READING

SENATE BILL NO. 5796, by Senators Pedersen, Rivers, Kuderer, Nobles, and Shewmake

Concerning common interest communities.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5796 was substituted for Senate Bill No. 5796 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5796, by Senate Committee on Law & Justice (originally sponsored by Pedersen, Rivers, Kuderer, Nobles, and Shewmake)

Senator Pedersen moved that the following amendment no. 515 by Senators Padden and Pedersen be adopted:

On page 10, beginning on line 19, after "owner's unit" strike "a common expense, including expense" and insert "common expenses, including expenses"

On page 10, line 21, after "by" insert "the"

On page 11, beginning on line 1, after "hearing." strike all material through "expense." on line 3

On page 11, beginning on line 4, after "section" strike all material through "incurred" on line 6

On page 29, line 26, after "RCW 64.90.455" strike ", whether or not a quorum is present."

On page 30, beginning on line 36, after "RCW 64.90.455" strike ", whether or not a quorum is present."

On page 43, line 27, after "alleys" insert ". Notwithstanding the foregoing, a reallocation shall not be required in regard to the installation of an electric vehicle charging station on the common elements"

On page 44, line 38, after "and" insert "the board has received"

On page 44, line 39, after "of" insert "payment and"

On page 54, line 36, after "right." insert "If the judgment or instrument does not describe the special declarant right, the transferee will be presumed to have elected to accept the special declarant right."

On page 82, line 19, after "hours" insert "and at the offices of the association or its managing agent."

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On page 82, line 21, after "(ii)" strike "At the offices of the association or its managing agent" and insert "~~((At the offices of the association or its managing agent))~~ Upon 10 days' notice unless the size of the request or need to redact information reasonably requires a longer time, but in no event later than 21 days without a court order allowing a longer time"

On page 83, line 10, after "number" strike "or" and insert "~~((or))~~ of any unit owner or resident,"

On page 83, line 11, after "owner" strike "or" and insert "that elects to keep such electronic address confidential, or electronic address of any"

On page 84, line 32, after "necessary" insert ", as a result of the emergency,"

On page 85, line 19, after "(b)" strike "In a plat community, the governing documents" and insert "The association"

On page 85, line 21, after "States" strike ". The governing documents may include" and insert ", or the flag of Washington state, on or within a unit or a limited common element, except that an association may adopt"

On page 85, line 22, after "regulations" strike "regarding" and insert "pertaining to"

On page 85, line 29, after "(2)" strike "The" and insert "~~((The))~~ An"

On page 85, at the beginning of line 32, strike "the" and insert "~~((the))~~ an"

On page 85, line 32, after "rules" strike "governing" and insert "~~((governing))~~ pertaining to"

Senator Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 515 by Senators Pedersen and Padden on page 10, line 19 to Substitute Senate Bill No. 5796.

The motion by Senator Pedersen carried and amendment no. 515 was adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following striking amendment no. 518 by Senator Wilson, L. be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The office of the attorney general shall convene a work group to make recommendations to the legislature regarding the effects of retroactively applying chapter 64.90 RCW to all common interest communities. The work group must consist of the following members:

(a) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(b) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(c) A representative from the Washington state chapter of the community associations institute;

(d) A representative from Washington realtors;

(e) A representative from the Washington state bar association;

(f) One representative from a common interest community with less than 50 units;

(g) One representative from a common interest community with 50 or more units but less than 100 units;

(h) One representative from a common interest community with 100 or more units, but less than 500 units;

(i) One representative from a common interest community with 500 or more units;

(j) One representative from a common interest community subject to chapter 64.32 RCW;

(k) One representative from a common interest community subject to chapter 64.34 RCW;

(l) One representative from a common interest community subject to chapter 64.38 RCW; and

(m) One representative from a common interest community subject to chapter 64.90 RCW.

(2) The duties of the work group include, but are not limited to:

(a) Researching the administrative costs and financial implications of updating governing documents to conform with chapter 64.90 RCW;

(b) Researching the impacts of managing entities on common interest communities;

(c) Researching the effects of resale certificates on real estate transactions in common interest communities;

(d) Comparing association responsibilities and liabilities under chapters 64.32, 64.34, 64.38, and 64.90 RCW; and

(e) Making recommendations on the retroactive application of chapter 64.90 RCW to all common interest communities.

(3) By December 1, 2025, the work group shall report its findings and recommendations to the appropriate committees of the legislature."

On page 1, line 1 of the title, after "communities;" strike the remainder of the title and insert "and creating a new section."

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

Senator Pedersen spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 518 by Senator Wilson, L to Substitute Senate Bill No. 5796.

The motion by Senator Wilson, L. did not carry and striking amendment no. 518 was not adopted by voice vote.

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5796 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

Senators Padden, Wilson, L. and Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5796.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5796 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

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

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, Lovelett, MacEwen, McCune, Muzzall, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5796, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

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

SECOND READING

SENATE BILL NO. 5840, by Senators Padden, Pedersen, and Kuderer

Concerning leases.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5843.

ROLL CALL

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5840 was substituted for Senate Bill No. 5840 and the substitute bill was placed on the second reading and read the second time.

The Secretary called the roll on the final passage of Senate Bill No. 5843 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5840, by Senate Committee on Law & Justice (originally sponsored by Padden, Pedersen, and Kuderer)

Voting nay: Senators Padden, Schoesler and Short

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5840 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SENATE BILL NO. 5843, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

INTRODUCTION OF SPECIAL GUESTS

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5840.

The President welcomed and introduced members of the Class of 2024, seniors high school students from Naselle High School who were seated in the gallery and guests of Senator Jeff Wilson.

ROLL CALL

SECOND READING

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5840 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

SENATE BILL NO. 5917, by Senators Billig, Dhingra, Pedersen, Trudeau, Hasegawa, Kuderer, Liias, Lovick, Mullet, Nguyen, Nobles, Salomon, Valdez, and Wilson, C.

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

Concerning criminal penalties for bias-motivated defacement of private or public property.

MOTION

SUBSTITUTE SENATE BILL NO. 5840, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Billig, Substitute Senate Bill No. 5917 was substituted for Senate Bill No. 5917 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

SECOND READING

SENATE BILL NO. 5843, by Senators Nguyen, Boehnke, Hasegawa, Hunt, Kuderer, Mullet, Nobles, Randall, and Valdez

On motion of Senator Padden and without objection, amendment no. 505 by Senator Padden on page 1, line 8 to Substitute Senate Bill No. 5917 was withdrawn.

Concerning security breaches of election systems and election-related systems.

MOTION

The measure was read the second time.

On motion of Senator Billig, the rules were suspended, Substitute Senate Bill No. 5917 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION

Senator Billig spoke in favor of passage of the bill. Senator Padden spoke against passage of the bill.

On motion of Senator Nguyen, the rules were suspended, Senate Bill No. 5843 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5917.

ROLL CALL

TWENTY SIXTH DAY, FEBRUARY 2, 2024

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5917 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

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

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

SUBSTITUTE SENATE BILL NO. 5917, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5919, by Senator King

Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5919 was substituted for Senate Bill No. 5919 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5919 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5919.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5919 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5919, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5806, by Senators Kuderer, Hunt, Dhingra, Hasegawa, and Nobles

Concerning the confidentiality of insurance company data.

MOTIONS

On motion of Senator Kuderer, Substitute Senate Bill No. 5806 was substituted for Senate Bill No. 5806 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5806, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Kuderer, Hunt, Dhingra, Hasegawa, and Nobles)

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 5806 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5806.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5806 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5806, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6088, by Senators Conway, King, Lovick, and Nguyen

Concerning minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 6088 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Nobles, Senator Billig was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6088.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6088 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Billig

SENATE BILL NO. 6088, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5670, by Senators Hawkins, Randall, Holy, Kuderer, Nguyen, Nobles, Saldaña, and Wilson, L.

Permitting 10th grade students to participate in running start in online settings; amending RCW 28A.600.320, 28A.600.330, and 28A.600.385; and reenacting and amending RCW 28A.600.310.

MOTION

On motion of Senator Hawkins, Second Substitute Senate Bill No. 5670 was substituted for Senate Bill No. 5670 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5670, by Committee on Ways & Means (originally sponsored by Senators Hawkins, Randall, Holy, Kuderer, Nguyen, Nobles, Saldaña, and L. Wilson)

Revised for Second Substitute: Permitting 10th grade students to participate in running start in online settings; amending RCW 28A.600.320 and 28A.600.330; and reenacting and amending RCW 28A.600.310.

MOTION

Senator Hawkins moved that the following striking amendment no. 493 by Senator Hawkins be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature believes it is in the best interest of the state to create opportunities to help ease students into running start prior to their 11th grade academic year. Affirming the opportunity for running start during the summer term following the 10th grade academic year will improve access to higher education opportunities and increase the likelihood of postsecondary degree attainment.

Sec. 2. RCW 28A.600.310 and 2023 c 350 s 2 are each amended to read as follows:

(1) Every school district must allow eligible students as described in subsection (2) of this section to participate in the running start program.

(2) ~~((Student))~~ In addition to the eligibility provided for in subsection (6) of this section, student eligibility for the running start program is as follows: Eleventh and 12th grade students or students who have not yet received the credits required for the award of a high school diploma and are eligible to be in the 11th or 12th grade, including students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW, may apply to a participating institution of higher education to enroll in courses or programs offered by the institution of higher education.

(3) Students receiving home-based instruction under chapter 28A.200 RCW enrolling in a public high school for the sole purpose of participating in courses or programs offered by institutions of higher education shall not be counted by the school district in any required state or federal accountability reporting if the student's parents or guardians filed a declaration of intent to provide home-based instruction and the student received home-based instruction during the school year before the school year in which the student intends to participate in courses or programs offered by the institution of higher education.

(4) Participating institutions of higher education, in consultation with school districts, may establish admission standards for eligible students. If the institution of higher education accepts a secondary school student for enrollment under this section, the institution of higher education shall send written notice to the student and the student's school district within 10 days of acceptance. The notice shall indicate the course and hours of enrollment for that student.

(5) The course sections and programs offered as running start courses must be open for registration to matriculated students at the participating institution of higher education and may not be a course consisting solely of high school students offered at a high school campus.

(6) Rising 11th grade students, defined as students who have completed their 10th grade year and not yet begun their 11th grade year, may enroll for up to 10 quarter credits, or the semester equivalent, during the summer academic term.

~~(7)(a)~~ In lieu of tuition and fees, as defined in RCW 28B.15.020 and 28B.15.041:

(i) Running start students shall pay to the community or technical college all other mandatory fees as established by each community or technical college and, in addition, the state board for community and technical colleges may authorize a fee of up to 10 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041; and

(ii) All other institutions of higher education operating a running start program may charge running start students a fee of up to 10 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041 in addition to technology fees.

(b) The fees charged under this subsection ~~((6))~~ (7) shall be prorated based on credit load.

(c) Students may pay fees under this subsection ~~((6))~~ (7) with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.

~~((7))~~ (8)(a) The institutions of higher education must make available fee waivers for low-income running start students. A student shall be considered low income and eligible for a fee waiver upon proof that the student meets federal eligibility requirements for free or reduced-price school meals. Acceptable documentation of low-income status may also include, but is not limited to, documentation that a student has been deemed eligible for free or reduced-price lunches in the last five years, or other criteria established in the institution's policy.

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(b)(i) By the beginning of the 2020-21 school year, school districts, upon knowledge of a low-income student's enrollment in running start, must provide documentation of the student's low-income status, under (a) of this subsection, directly to institutions of higher education.

(ii) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in consultation with the Washington student achievement council, shall develop a centralized process for school districts to provide students' low-income status to institutions of higher education to meet the requirements of (b)(i) of this subsection.

(c) Institutions of higher education, in collaboration with relevant student associations, shall aim to have students who can benefit from fee waivers take advantage of these waivers. Institutions shall make every effort to communicate to students and their families the benefits of the waivers and provide assistance to students and their families on how to apply. Information about waivers shall, to the greatest extent possible, be incorporated into financial aid counseling, admission information, and individual billing statements. Institutions also shall, to the greatest extent possible, use all means of communication, including but not limited to websites, online catalogues, admission and registration forms, mass email messaging, social media, and outside marketing to ensure that information about waivers is visible, compelling, and reaches the maximum number of students and families that can benefit.

~~((8))~~ (9) The student's school district shall transmit to the institution of higher education an amount per each full-time equivalent college student at statewide uniform rates for vocational and nonvocational students. The superintendent of public instruction shall separately calculate and allocate moneys appropriated for basic education under RCW 28A.150.260 to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset program related costs. The calculations and allocations shall be based upon the estimated statewide annual average per full-time equivalent high school student allocations under RCW 28A.150.260, excluding small high school enhancements, and applicable rules adopted under chapter 34.05 RCW. The superintendent of public instruction, participating institutions of higher education, and the state board for community and technical colleges shall consult on the calculation and distribution of the funds. The funds received by the institution of higher education from the school district shall not be deemed tuition or operating fees and may be retained by the institution of higher education. A student enrolled under this subsection shall be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus appropriations act.

~~((9))~~ (10) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools established under chapter 28A.715 RCW to the same extent as it applies to school districts.

Sec. 3. RCW 28A.600.320 and 2009 c 524 s 4 are each amended to read as follows:

A school district shall provide general information about the program to all pupils in grades ~~((ten))~~ 10, ~~((eleven))~~ 11, and ~~((twelve))~~ 12 and the parents and guardians of those pupils, including information about the opportunity to enroll in the program through online courses available at community and technical colleges and other state institutions of higher education,

enrollment opportunities during the summer academic term, and including the college high school diploma options under RCW 28B.50.535. To assist the district in planning, a pupil shall inform the district of the pupil's intent to enroll in courses at an institution of higher education for credit. Students are responsible for applying for admission to the institution of higher education."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "summer running start for rising juniors; amending RCW 28A.600.310 and 28A.600.320; and creating a new section."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 493 by Senator Hawkins to Second Substitute Senate Bill No. 5670.

The motion by Senator Hawkins carried and striking amendment no. 493 was adopted by voice vote.

MOTION

On motion of Senator Hawkins, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5670 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5670.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5670 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Billig

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5670, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:06 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, February 5, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY NINTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, February 5, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committees were granted special leave to continue to meet during the day’s floor session.

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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 2, 2024

SB 5660 Prime Sponsor, Senator Boehnke: Establishing a mental health advance directive effective implementation work group; creating a new section; and providing an expiration date. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5660 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 2, 2024

SB 5667 Prime Sponsor, Senator Muzzall: Concerning eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5667 as recommended by Committee on Agriculture, Water, Natural Resources & Parks be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 1, 2024

SB 5827 Prime Sponsor, Senator Shewmake: Adding an additional superior court judge in Whatcom county. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 1, 2024

SB 5828 Prime Sponsor, Senator Shewmake: Concerning water rights adjudication commissioners and referees. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 1, 2024

SB 5836 Prime Sponsor, Senator Wilson, L.: Adding an additional superior court judge in Clark county. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 1, 2024

SB 5837 Prime Sponsor, Senator Valdez: Codifying the state election database to publish, evaluate, and analyze certain election data. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

TWENTY NINTH DAY, FEBRUARY 5, 2024

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Rules for second reading.

February 1, 2024

SB 5897 Prime Sponsor, Senator Mullet: Modifying provisions of the business licensing service program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 1, 2024

SB 5915 Prime Sponsor, Senator Torres: Extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hunt; Keiser; Muzzall; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra; Hasegawa and Pedersen.

Referred to Committee on Rules for second reading.

February 1, 2024

SB 6099 Prime Sponsor, Senator Braun: Creating the tribal opioid prevention and treatment account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6099 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 2, 2024

SB 6106 Prime Sponsor, Senator Conway: Including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6106 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 1, 2024

SB 6146 Prime Sponsor, Senator Dhingra: Concerning tribal warrants. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 2, 2024

SB 6197 Prime Sponsor, Senator Holy: Concerning the law enforcement officers' and firefighters' retirement system plan 2. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6197 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 2, 2024

SB 6198 Prime Sponsor, Senator Holy: Concerning employees of the law enforcement officers' and firefighters' plan 2 retirement board. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6198 be substituted therefor, and the substitute bill do

pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 2, 2024

SB 6263 Prime Sponsor, Senator Wilson, L.: Concerning death benefits provided by the 1955 act for firefighters' relief and pensions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 1, 2024

HB 1895 Prime Sponsor, Representative Thai: Modifying the working families' tax credit by clarifying the refundable nature of the credit, the application requirements, and the eligibility verification process. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 1, 2024

SGA 9357 DREW SHIRK, appointed on June 16, 2023, for the term ending at the governor's pleasure, as Director of the Department of Revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

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

Senator Nguyen moved adoption of the following resolution:

SENATE RESOLUTION

8665

By Senators Nguyen, MacEwen, Nobles, Lovelett, Van De Wege, Hansen, Dhingra, Holy, Shewmake, Saldaña, Keiser, C. Wilson, Billig, Padden, Warnick, Stanford, J. Wilson, Wagoner, Robinson, Lovick, Hasegawa, Kuderer, Wellman, Valdez, and Conway

WHEREAS, On this tenth day of February in 2024, the people of the great state of Washington unite to celebrate Lunar New Year the year of the Dragon, joining to distinguish Asian American joy, cultures, and beautiful diversity; and

WHEREAS, The Lunar New Year begins on the first new moon of the lunisolar calendar; and

WHEREAS, This year is designated as the Year of the Dragon, the animal characterized by its strength and determination; its resilient nature bringing symbols of boldness, courage, and growth to the year; and

WHEREAS, Washington acknowledges both the rich heritage and collective trauma of our Asian American Native Hawaiian Pacific Islander ancestors; and

WHEREAS, We deeply appreciate the many contributions of the Asian American Native Hawaiian Pacific Islander community that has made Washington a vibrant place for us all to call home, through building and supporting their communities despite perpetual discriminations and violence they may have faced in the past and present; and

WHEREAS, We highlight the solidarity and strength of the Asian American Native Hawaiian Pacific Islander community rooted in the culture that respects its ancestry and supports its descendants; and

WHEREAS, The Lunar New Year is a time to reflect, to celebrate family and community, and to learn and understand the past as we look towards renewal and growth; and

WHEREAS, We step into the Year of the Dragon not just as individuals, but as family united in compassion and community stewardship;

NOW, THEREFORE, BE IT RESOLVED, That the Senate stand with the Asian American Native Hawaiian Pacific Islander community in times of crisis and in times of celebration, we come together now to reflect on the year past and envision new beginnings in acknowledgment of the Lunar New Year.

Senator Nguyen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8665.

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

MOTION

TWENTY NINTH DAY, FEBRUARY 5, 2024

At 12:36 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of receiving standing committee reports later in the day.

EVENING SESSION

The Senate was called to order at 8:48 p.m. by the President of the Senate. Lt. Governor President Heck presiding.

MOTION

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

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 5, 2024

SB 5383 Prime Sponsor, Senator Saldaña: Concerning pedestrians crossing and moving along roadways. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5383 be substituted therefor, and the second substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Hansen; Kauffman; Lovelett; Nobles; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators Holy, Assistant Ranking Member; Fortunato; Hawkins; MacEwen and Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Wilson, J.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5427 Prime Sponsor, Senator Valdez: Concerning people who have been targeted or affected by hate crimes and bias incidents. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5427 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

2SSB 5438 Prime Sponsor, Committee on Ways & Means: Facilitating supportive relationships with family and

significant individuals within the behavioral health system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Third Substitute Senate Bill No. 5438 as recommended by Committee on Human Services be substituted therefor, and the third substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5444 Prime Sponsor, Senator Valdez: Concerning firearm sensitive places. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5444 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 2, 2024

SB 5591 Prime Sponsor, Senator Nobles: Providing dependent youth with financial education and support. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5591 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Braun and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5598 Prime Sponsor, Senator Mullet: Providing supplementary funding to legalized horse racing and the recreational use of horses in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5598 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Conway; Hunt; Keiser; Muzzall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Billig.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra; Hasegawa; Pedersen and Randall.

Referred to Committee on Rules for second reading.

February 5, 2024

SSB 5600 Prime Sponsor, Committee on Environment, Energy & Technology: Extending the expiration date for the state universal communications services program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5600 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Conway; Hunt; Muzzall; Randall; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Nguyen, Vice Chair, Operating; Billig; Dhingra; Keiser; Pedersen and Saldaña.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5770 Prime Sponsor, Senator Pedersen: Providing state and local property tax reform. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5770 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5774 Prime Sponsor, Senator Billig: Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5774 as recommended by Committee on Early Learning & K-12 Education be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5780 Prime Sponsor, Senator Torres: Expanding training opportunities for public defense. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5780 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5784 Prime Sponsor, Senator Van De Wege: Concerning deer and elk damage to commercial crops. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5784 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

TWENTY NINTH DAY, FEBRUARY 5, 2024

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dhingra.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5789 Prime Sponsor, Senator Mullet: Concerning the sales and use tax for school construction assistance program capital projects. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5799 Prime Sponsor, Senator Wilson, C.: Concerning the sale of halal foods. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating and Boehnke.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5802 Prime Sponsor, Senator Muzzall: Providing flexibility in calculation of nursing rates. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5802 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5803 Prime Sponsor, Senator Conway: Concerning the recruitment and retention of Washington national guard members. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5803 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5811 Prime Sponsor, Senator Kauffman: Expanding the definition of family member for individual providers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5825 Prime Sponsor, Senator Pedersen: Concerning guardianship and conservatorship. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5825 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5838 Prime Sponsor, Senator Nguyen: Establishing an artificial intelligence task force. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5838 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair;

Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Boehnke; Braun; Hasegawa; Muzzall and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5849 Prime Sponsor, Senator Wellman: Concerning a computer science competency graduation requirement. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5849 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun; Muzzall and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5850 Prime Sponsor, Senator Braun: Supporting students who are chronically absent and at risk for not graduating high school. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5850 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5851 Prime Sponsor, Senator Braun: Concerning Holocaust and genocide education in public schools. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5851 be substituted therefor, and the second

substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5852 Prime Sponsor, Senator Braun: Concerning special education safety net awards. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5853 Prime Sponsor, Senator Dhingra: Extending the crisis relief center model to provide behavioral health crisis services for minors. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5853 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5873 Prime Sponsor, Senator Wellman: Providing adequate and predictable student transportation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5873 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke and Muzzall.

TWENTY NINTH DAY, FEBRUARY 5, 2024

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Braun; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5882 Prime Sponsor, Senator Stanford: Increasing prototypical school staffing to better meet student needs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5882 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Braun; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5889 Prime Sponsor, Senator Kauffman: Establishing the customer voice council. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital and Braun.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5893 Prime Sponsor, Senator Wilson, C.: Providing gate money to individuals releasing from custody prior to the expiration of their sentence. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5893 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating;

Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5902 Prime Sponsor, Senator Van De Wege: Reinvesting account revenue for the purpose of supporting the state park system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5902 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5904 Prime Sponsor, Senator Nobles: Extending the terms of eligibility for financial aid programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5906 Prime Sponsor, Senator Wilson, L.: Implementing a statewide drug overdose prevention and education campaign. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Hasegawa and Saldaña.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5908 Prime Sponsor, Senator Wilson, C.: Providing extended foster care services to youth ages 18 to 21. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5908 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Boehnke; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5911 Prime Sponsor, Senator Wilson, L.: Enhancing cancer research funding by dedicating a portion of state sales tax collections in October to the Andy Hill cancer research endowment fund. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5911 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Keiser; Muzzall; Randall; Torres; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Dhingra; Hasegawa; Hunt; Pedersen; Saldaña and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5937 Prime Sponsor, Senator Dhingra: Supporting crime victims and witnesses by promoting victim-centered, trauma-

informed responses in the legal system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5937 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5943 Prime Sponsor, Senator Gildon: Developing a resource data tool to connect Washington residents to services and resources. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5943 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Hunt; Muzzall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Dhingra; Hasegawa; Keiser; Pedersen and Randall.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5946 Prime Sponsor, Senator Van De Wege: Establishing a fallen firefighter memorial. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5946 as recommended by Committee on State Government & Elections be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

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SB 5953 Prime Sponsor, Senator Wilson, C.: Concerning financial aid grants for incarcerated students. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5953 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Muzzall and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5955 Prime Sponsor, Senator Keiser: Mitigating harm and improving equity in large port districts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5955 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5972 Prime Sponsor, Senator Liias: Concerning the use of neonicotinoid pesticides. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5972 as recommended by Committee on Agriculture, Water, Natural Resources & Parks be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking

Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 5986 Prime Sponsor, Senator Cleveland: Protecting consumers from out-of-network health care services charges. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5986 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6006 Prime Sponsor, Senator Dhingra: Supporting victims of human trafficking and sexual abuse. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6006 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6013 Prime Sponsor, Senator Shewmake: Expanding the homeownership development property tax exemption to include real property sold to low-income households for building residences using mutual self-help housing construction. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hunt; Keiser; Pedersen; Randall; Saldaña; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Hasegawa; Muzzall and Torres.

Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6030 Prime Sponsor, Senator Braun: Amending the county population threshold for counties that may exempt from taxation the value of accessory dwelling units to incentivize rental to low-income households. Reported by Committee on Ways & Means

SB 6038 Prime Sponsor, Senator Wilson, C.: Reducing the costs associated with providing child care. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Wagoner and Wellman.

MAJORITY recommendation: That Substitute Senate Bill No. 6038 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Boehnke and Hasegawa.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

February 5, 2024

Referred to Committee on Rules for second reading.

SB 6039 Prime Sponsor, Senator Lovelett: Promoting the development of geothermal energy resources. Reported by Committee on Ways & Means

SB 6031 Prime Sponsor, Senator Braun: Modifying the student transportation allocation to accommodate multiple vehicle types for transporting students. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6039 as recommended by Committee on Environment, Energy & Technology be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MAJORITY recommendation: That Substitute Senate Bill No. 6031 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6036 Prime Sponsor, Senator Muzzall: Concerning agriculture pest and disease response. Reported by Committee on Ways & Means

SB 6058 Prime Sponsor, Senator Nguyen: Facilitating linkage of Washington's carbon market with the California-Quebec carbon market. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6036 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun;

MAJORITY recommendation: That Second Substitute Senate Bill No. 6058 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking

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Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6068 Prime Sponsor, Senator Boehnke: Reporting on dependency outcomes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6068 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 2, 2024

SB 6069 Prime Sponsor, Senator Mullet: Improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6069 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital and Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6080 Prime Sponsor, Senator Boehnke: Simplifying the funding provisions of the statewide tourism marketing account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member,

Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6087 Prime Sponsor, Senator King: Concerning the fire service training account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6092 Prime Sponsor, Senator Shewmake: Concerning disclosure of greenhouse gas emissions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6092 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital; Boehnke and Braun.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6098 Prime Sponsor, Senator Robinson: Concerning accounts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6100 Prime Sponsor, Senator Robinson: Making expenditures from the budget stabilization account for declared catastrophic events. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6100 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6109 Prime Sponsor, Senator Wilson, C.: Supporting children and families. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6109 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6110 Prime Sponsor, Senator Keiser: Modernizing the child fatality statute. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6110 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Boehnke; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6114 Prime Sponsor, Senator Lias: Requiring local airport operators to provide sustainable aviation fuel for use in private jets. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6114 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Hansen; Kauffman; Lovelett; Nobles; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato; Hawkins; MacEwen; Padden and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member Holy, Assistant Ranking Member.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6115 Prime Sponsor, Senator King: Concerning speed safety camera systems. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6115 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hansen; Kauffman; Nobles; Valdez and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato; Hawkins; Lovelett; MacEwen; Padden and Wilson, J.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6121 Prime Sponsor, Senator Van De Wege: Concerning biochar production from agricultural and forestry biomass. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6121 as recommended by Committee on Environment, Energy & Technology be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital and Boehnke.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6125 Prime Sponsor, Senator Kauffman: Preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6125 be substituted therefor, and the substitute bill do

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pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6163 Prime Sponsor, Senator Wilson, J.: Concerning biosolids. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6163 as recommended by Committee on Environment, Energy & Technology be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6175 Prime Sponsor, Senator Trudeau: Concerning housing affordability tax incentives for existing structures. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6175 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Hasegawa; Muzzall and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6187 Prime Sponsor, Senator Saldaña: Concerning the body scanner pilot program at the department of corrections. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6187 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant

Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Boehnke and Braun.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6194 Prime Sponsor, Senator Stanford: Concerning state legislative employee collective bargaining. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6194 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6195 Prime Sponsor, Senator Braun: Addressing the current backlog of vehicle inspections. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6195 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J..

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6215 Prime Sponsor, Senator Schoesler: Improving tax and revenue laws. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6228 Prime Sponsor, Senator Dhingra: Concerning treatment of substance use disorders. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6228 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6238 Prime Sponsor, Senator Dozier: Updating thresholds for the property tax exemption for widows and widowers of honorably discharged veterans. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6242 Prime Sponsor, Senator Mullet: Concerning law enforcement training. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6247 Prime Sponsor, Senator Hunt: Concerning public employees' retirement system plan 2 service credit for officers of labor organizations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt;

Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital and Torres.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6251 Prime Sponsor, Senator Dhingra: Coordinating regional behavioral crisis response and suicide prevention services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6251 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6264 Prime Sponsor, Senator Wellman: Supporting the implementation of competency-based education. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6264 as recommended by Committee on Early Learning & K-12 Education be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6277 Prime Sponsor, Senator Liias: Creating a new statutory framework for the use of public-private partnerships for transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6277 be substituted therefor, and the substitute bill do

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pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6283 Prime Sponsor, Senator Nobles: Eliminating the expiration date for the Sandy Williams connecting communities program. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6286 Prime Sponsor, Senator Rivers: Addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6286 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6296 Prime Sponsor, Senator Boehnke: Establishing a retail industry work group. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6301 Prime Sponsor, Senator Lovick: Concerning basic law enforcement academy. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6301 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6302 Prime Sponsor, Senator Liias: Creating a Washington state supply chain competitiveness infrastructure program. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6302 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6304 Prime Sponsor, Senator Liias: Implementing certain recommendations of the transportation electrification strategy. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6304 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Shewmake, Vice Chair; Cleveland; Hansen; Kauffman; Lovelett; Nobles; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Holy, Assistant Ranking Member; Fortunato; Hawkins; MacEwen; Padden and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovick, Vice Chair.

Referred to Committee on Rules for second reading.

February 5, 2024

SB 6308 Prime Sponsor, Senator Dhingra: Extending timelines for implementation of the 988 system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 5, 2024

EHB 1964 Prime Sponsor, Representative Ramos: Enhancing prorated and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Lovelett; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Shewmake, Vice Chair; Hawkins; Kauffman and MacEwen.

Referred to Committee on Rules for second reading.

February 5, 2024

SGA 9362 JC BALDWIN, appointed on July 3, 2023, for the term ending June 30, 2029, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 5, 2024

SGA 9390 RICHARD B. FIRTH, appointed on August 29, 2023, for the term ending December 26, 2024, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 5, 2024

SGA 9448 ANDREW J. DRENNEN, reappointed on January 22, 2024, for the term ending December 26, 2027, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Supplemental Standing Committee report were referred to the committees as designated.

At 8:50 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Tuesday, February 6, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, February 6, 2024

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Lucas Westphalen and Miss Heidi Gehrke, presented the Colors.

Page Mr. Logan O'Day led the Senate in the Pledge of Allegiance.

The prayer was offered by Dr. Abdulhakim Mohamed, Imam of the Islamic Center, Tacoma, and Chief Executive Officer, North American Imams Fellow.

MOTIONS

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

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Bryanna J. Artellano, Senate Gubernatorial Appointment No. 9377, be confirmed as a member of the Edmonds Community College Board of Trustees.

Senator Nobles spoke in favor of the motion.

MOTION

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

APPOINTMENT OF BRYANNA J. ARTELLANO

The President declared the question before the Senate to be the confirmation of Bryanna J. Artellano, Senate Gubernatorial Appointment No. 9377, as a member of the Edmonds Community College Board of Trustees.

The Secretary called the roll on the confirmation of Bryanna J. Artellano, Senate Gubernatorial Appointment No. 9377, as a member of the Edmonds Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Dhingra
Excused: Senator Fortunato

Bryanna J. Artellano, Senate Gubernatorial Appointment No. 9377, having received the constitutional majority was declared confirmed as a member of the Edmonds Community College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Onya N. Robertson, Senate Gubernatorial Appointment No. 9388, be confirmed as a member of The Evergreen State College Board of Trustees.

Senator Trudeau spoke in favor of the motion.

APPOINTMENT OF ONYA N. ROBERTSON

The President declared the question before the Senate to be the confirmation of Onya N. Robertson, Senate Gubernatorial Appointment No. 9388, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Onya N. Robertson, Senate Gubernatorial Appointment No. 9388, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

Onya N. Robertson, Senate Gubernatorial Appointment No. 9388, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Yana M. Chubarov, Senate Gubernatorial Appointment No. 9426, be confirmed as a member of the Bellevue College Board of Trustees.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF YANA M. CHUBAROV

The President declared the question before the Senate to be the confirmation of Yana M. Chubarov, Senate Gubernatorial Appointment No. 9426, as a member of the Bellevue College Board of Trustees.

The Secretary called the roll on the confirmation of Yana M. Chubarov, Senate Gubernatorial Appointment No. 9426, as a member of the Bellevue College Board of Trustees and the

appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

Yana M. Chubarov, Senate Gubernatorial Appointment No. 9426, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

MOTION

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

On motion of Senator Pedersen and without objection, Senate Bill No. 6089 was removed from the day's Consent calendar to the day's Second Reading calendar.

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

THIRD READING

SUBSTITUTE SENATE BILL NO. 5709, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Torres, Hunt, Schoesler, and Dozier)

Concerning irrigation district elections.

The bill was read on Third Reading.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5709.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5709 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Valdez

SUBSTITUTE SENATE BILL NO. 5709, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Fifth Grade class students and their teacher, Ms. Cassandra Rorie, from McKenna Elementary School who were seated in the gallery. The class were guests of Senator McCune.

MOTION

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

SECOND READING

SENATE BILL NO. 5970, by Senator Hunt

Modifying local board of health county commissioner membership.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 5970 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hunt spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Padden was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5970.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5970 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Padden

SENATE BILL NO. 5970, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5979, by Senators Keiser, Conway, Saldaña, Randall, Kuderer, Lias, Kauffman, Van De Wege, Hasegawa, Nobles, Valdez, and Wilson, C.

Concerning accrued leave for construction workers.

The measure was read the second time.

MOTION

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On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5979 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5979.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5979 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Padden

SENATE BILL NO. 5979, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Lafayette Elementary School who were seated in the gallery. The students were guests of Senator Nguyen.

SECOND READING

SENATE BILL NO. 6028, by Senators Braun, Keiser, Conway, Dozier, Kuderer, Mullet, Nguyen, Nobles, Stanford, and Wilson, L.

Relieving individuals from paying interest on certain unemployment insurance overpayment assessments.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 6028 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6028.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6028 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

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

Excused: Senator Padden

SENATE BILL NO. 6028, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6079, by Senators Boehnke, and Wilson, C.

Making juvenile detention records available to managed health care systems.

The measure was read the second time.

MOTION

On motion of Senator Boehnke, the rules were suspended, Senate Bill No. 6079 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6079.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6079 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Padden

SENATE BILL NO. 6079, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6094, by Senator Robinson

Aligning statutory language concerning the retired state employee and retired or disabled school employee health insurance subsidy with the historical interpretation and implementation of the relevant subsidy language in the operating budget.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, Senate Bill No. 6094 was advanced to third reading, the second

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

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6094.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6094 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Padden

SENATE BILL NO. 6094, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6166, by Senators Saldaña, Torres, Hasegawa, Nobles, and Valdez

Extending the pesticide application safety committee.

The measure was read the second time.

MOTION

On motion of Senator Saldaña, the rules were suspended, Senate Bill No. 6166 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6166.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6166 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6166, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6186, by Senators Kauffman, Dhingra, Hasegawa, Valdez, and Wilson, C.

Concerning disclosure of certain recipient locations to the Washington state patrol.

MOTIONS

On motion of Senator Kauffman, Substitute Senate Bill No. 6186 was substituted for Senate Bill No. 6186 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6186, by Committee on Human Services (originally sponsored by Senators Kauffman, Dhingra, Hasegawa, Valdez, and C. Wilson)

Revised for first substitute: Concerning disclosure of certain recipient information to the Washington state patrol.

On motion of Senator Kauffman, the rules were suspended, Substitute Senate Bill No. 6186 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kauffman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6186.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6186 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6186, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6089, by Senators King, Keiser, and Mullet

Eliminating certain minimum requirement equivalencies for electrical inspectors.

The measure was read the second time.

MOTION

Senator King moved that the following amendment no. 527 by Senator King be adopted:

On page 2, after line 32, insert the following:
 "NEW SECTION. Sec. 2. (1) The department of labor and industries and the association of Washington cities must work

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with cities that issue their own electrical permits and perform their own electrical inspections to identify appropriate pathways to qualify as an electrical inspector in this state.

(2) The department of labor and industries shall submit a report to the legislature with its findings and recommendations, in accordance with RCW 43.01.036, by December 15, 2024.

(3) This section expires June 30, 2025."

On page 1, line 2 of the title, after "inspectors;" strike "and amending RCW 19.28.321" and insert "amending RCW 19.28.321; creating a new section; and providing an expiration date"

Senator King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 527 by Senator King on page 2, after line 32 to Senate Bill No. 6089.

The motion by Senator King carried and amendment no. 527 was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Senate Bill No. 6089 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6089.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6089 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SENATE BILL NO. 6089, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

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

SECOND READING

SENATE BILL NO. 6060, by Senators Nguyen, Hasegawa, Keiser, Saldaña, Stanford, Valdez, and Wilson, C.

Concerning the acceptance of electronic signatures by the public employment relations commission for new organizing petitions.

MOTIONS

On motion of Senator Nguyen, Substitute Senate Bill No. 6060 was substituted for Senate Bill No. 6060 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6060, by Senate Committee on Labor & Commerce (originally sponsored by Nguyen, Hasegawa, Keiser, Saldaña, Stanford, Valdez, and Wilson, C.)

Senator Braun moved that the following amendment no. 532 by Senator Braun be adopted:

On page 1, beginning on line 8, after "any" strike all material through "cross-check" on line 11 and insert "representation petition"

On page 1, line 2 of the title, after "for" strike "new organizing" and insert "representation"

Senator Braun spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 532 by Senator Braun on page 1, line 8 to Substitute Senate Bill No. 6060.

The motion by Senator Braun did not carry and amendment no. 532 was not adopted by voice vote.

On motion of Senator Nguyen, the rules were suspended, Substitute Senate Bill No. 6060 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6060.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6060 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

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

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

SUBSTITUTE SENATE BILL NO. 6060, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6009, by Senators Trudeau, Lovick, Frame, Hasegawa, Nguyen, Nobles, Saldaña, Stanford, Valdez, Wellman, and Wilson, C.

Prohibiting the use of hog-tying.

MOTION

On motion of Senator Trudeau, Substitute Senate Bill No. 6009 was substituted for Senate Bill No. 6009 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6009, by Senate Committee on Law & Justice (originally sponsored by Trudeau, Lovick, Frame, Hasegawa, Nguyen, Nobles, Saldaña, Stanford, Valdez, Wellman, and Wilson, C.)

WITHDRAWAL OF AMENDMENT

On motion of Senator Trudeau and without objection, striking amendment no. 530 by Senator Trudeau to Substitute Senate Bill No. 6009 was withdrawn.

MOTION

Senator Trudeau moved that the following striking amendment no. 531 by Senator Trudeau be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds it is imperative that our criminal justice systems, including the law enforcement profession, must secure public trust and ensure accountability. In order to do so, the legislature finds that it is important to discontinue practices and tactics that dehumanize and create unnecessary risk of harm and/or death to the people they serve. Additionally, it is important that law enforcement is using up-to-date tactics that come with adequate training from the criminal justice training commission to ensure continuity and oversight in the standards applied across the profession. This includes tactics that comply with the model use of force policies put forward by our state's attorney general.

The legislature finds that, in the quest to ensure that all communities are and feel safe, it is important to take guidance from published model policies, comport with statewide standards and training on restraint tactics, and prohibit hog-tying and other similar tactics that are inhumane, outdated, and have led to the unnecessary loss of human life.

NEW SECTION. Sec. 2. A new section is added to chapter 10.116 RCW to read as follows:

(1) A peace officer is prohibited from:

(a) Hog-tying a person; or

(b) Assisting in putting a person into a hog-tie.

(2) Hog-tying shall constitute the use of excessive force for the purposes of RCW 10.93.190.

(3) For purposes of this section, "hog-tie" or "hog-tying" means fastening together bound or restrained ankles to bound or restrained wrists. "Hog-tie" or "hog-tying" does not include the following:

(a) Use of transport chains or waist chains to transport prisoners; or

(b) Use of a product or device that does not require bound or restrained ankles to be fastened together to bound or restrained wrists."

On page 1, line 1 of the title, after "hog-tying;" strike the remainder of the title and insert "adding a new section to chapter 10.116 RCW; and creating a new section."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 531 by Senator Trudeau to Substitute Senate Bill No. 6009.

The motion by Senator Trudeau carried and striking amendment no. 531 was adopted by voice vote.

MOTION

On motion of Senator Trudeau, the rules were suspended, Engrossed Substitute Senate Bill No. 6009 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau, Lovick and McCune spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6009.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6009 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6009, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Fourth Grade students from Lea Hill Elementary School who were seated in the gallery. The students were guests of Senator Kauffman.

SECOND READING

SENATE BILL NO. 5812, by Senators Wilson, J., Nguyen, Lovick, and McCune

Concerning the response to electric vehicle fires.

MOTIONS

On motion of Senator Wilson, J., Substitute Senate Bill No. 5812 was substituted for Senate Bill No. 5812 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5812, by Senate Committee on Transportation (originally sponsored by Wilson, J., Nguyen, Lovick, and McCune)

On motion of Senator Wilson, J., the rules were suspended, Substitute Senate Bill No. 5812 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

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INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced the Honorable Lisa Brown, Mayor of Spokane and former Senator, Third Legislative District, who was present in the wings.

Senator Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5812.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5812 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5812, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:50 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of a meeting of the Committee on Rules, caucuses, and a break for lunch.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

 AFTERNOON SESSION

The Senate was called to order at 2:33 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 6227, by Senators Dhingra, Cleveland, Hasegawa, Keiser, Nobles, Randall, Torres, and Wilson, C.

Allowing entry of a civil protection order to protect victims when a person is found not guilty by reason of insanity.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 6227 was substituted for Senate Bill No. 6227 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6227, by Senate Committee on Law & Justice (originally sponsored by Dhingra, Cleveland, Hasegawa, Keiser, Nobles, Randall, Torres, and Wilson, C.)

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 6227 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6227.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6227 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5821, by Senators Muzzall, Randall, Kuderer, and Rivers

Establishing a uniform standard for creating an established relationship for the purposes of coverage of audio-only telemedicine services.

The measure was read the second time.

MOTION

On motion of Senator Muzzall, the rules were suspended, Senate Bill No. 5821 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5821.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5821 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5821, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5935, by Senators Stanford, Keiser, Conway, Dhingra, Frame, Kuderer, Liias, Nobles, and Saldaña

Concerning noncompetition covenants.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5935 was substituted for Senate Bill No. 5935 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5935, by Senate Committee on Labor & Commerce (originally sponsored by Stanford, Keiser, Conway, Dhingra, Frame, Kuderer, Liias, Nobles, and Saldaña)

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 5935 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.
 Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5935.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5935 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

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

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

SUBSTITUTE SENATE BILL NO. 5935, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5834, by Senators Short, Lovelett, Billig, Gildon, Mullet, Padden, and Torres

Concerning urban growth areas.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 5834 was substituted for Senate Bill No. 5834 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5834, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Billig, Gildon, Mullet, Padden, and Torres)

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 5834 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5834.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5834 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5834, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6025, by Senators Stanford, Dhingra, Frame, Hasegawa, Kuderer, Nguyen, Saldaña, Trudeau, Valdez, and Wilson, C.

Protecting consumers from predatory loans.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 6025 was substituted for Senate Bill No. 6025 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6025, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Stanford, Dhingra, Frame, Hasegawa, Kuderer, Nguyen, Saldaña, Trudeau, Valdez, and Wilson, C.)

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 6025 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6025.

ROLL CALL

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The Secretary called the roll on the final passage of Substitute Senate Bill No. 6025 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6025, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6278, by Senators Liias, Muzzall, Billig, Nobles, Saldaña, and Valdez

Promoting organic agriculture.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6278 was substituted for Senate Bill No. 6278 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6278, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Liias, Muzzall, Billig, Nobles, Saldaña, and Valdez)

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 6278 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6278.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6278 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6278, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SENATE BILL NO. 5590, by Senators Wilson, L., Hunt, Braun, Dozier, Hawkins, Kuderer, Lovick, Wellman, and Wilson, J.

Creating Mount St. Helens special license plates.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Wilson, L., the rules were suspended and Senate Bill No. 5590 was returned to second reading for the purposes of amendment.

Senator Wilson, L. moved that the following amendment no. 482 by Senator Wilson, L. be adopted:

On page 18, line 1, after "effect" strike all material through "2023" and insert "October 1, 2024"

The President declared the question before the Senate to be the adoption of amendment no. 482 by Senator Wilson, L. on page 18, line 1 to Senate Bill No. 5590.

The motion by Senator Wilson, L. carried and amendment no. 482 was adopted by voice vote.

On motion of Senator Wilson, L., the rules were suspended, Engrossed Senate Bill No. 5590 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5590.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5590 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Schoesler and Stanford

ENGROSSED SENATE BILL NO. 5590, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

SENATE JOINT MEMORIAL NO. 8005, by Senators Hasegawa, and Wilson, C.

Addressing "de-risking" by financial institutions.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Hasegawa, the rules were suspended and Senate Joint Memorial No. 8005 was returned to second reading for the purposes of amendment.

Senator Hasegawa moved that the following amendment no. 524 by Senator Hasegawa be adopted:

Strike everything after page 1, line 4 and insert the following:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, The State of Washington welcomes refugees and immigrants who bravely leave behind everything familiar to seek safety, build a better life, and provide resources for loved ones in their country of origin; and

WHEREAS, Approximately one in every seven Washington residents is an immigrant and another one in every seven Washington residents is a native-born United States citizen with at least one immigrant parent; and

WHEREAS, Many immigrants to Washington transfer money to loved ones in their country of origin in the form of remittances, and money remitted by migrants competes with international aid as one of the largest financial inflows to developing countries; and

WHEREAS, Many immigrants have continued to try to send money to their families despite uncertain and changing employment circumstances following the COVID-19 pandemic and recovery; and

WHEREAS, The federal government has national security interests that have resulted in measures by federal agencies to block remittances that present significant security risks, and the federal Bank Secrecy Act and related Anti-Money Laundering rules (BSA/AML) impose due diligence, recordkeeping, reporting, and compliance program requirements on financial institutions with respect to remittances to foreign countries; and

WHEREAS, Some of the countries to which immigrants to Washington want to remit money have little or no central banking infrastructure, which makes compliance with BSA/AML rules difficult or impossible, and prevents immigrants from being able to remit money in a safe, reliable manner; and

WHEREAS, Financial institutions such as banks and credit unions play a pivotal role in facilitating commerce and enabling individuals to build financial prosperity; and

WHEREAS, Many of the local or community-based money transmitters that service underserved diverse communities in Washington have been excluded from obtaining or maintaining accounts from traditional financial institutions and have seen their accounts closed without explanation or justification, leaving underserved communities without banking options; and

WHEREAS, Many financial institutions appear to be engaging in de-risking, whereby they terminate or restrict business relationships with clients or categories of clients in order to avoid, rather than manage, risk; and

WHEREAS, De-risking has detrimentally impacted the ability of smaller, Washington-based money transmitters to serve underserved diverse communities, to the benefit of larger money transmitters that operate on a nationwide basis; and

WHEREAS, De-risking also presents a threat to public safety, as unbanked businesses often must store and transport large sums of cash at great risk to owners and their employees; and

WHEREAS, The state of Washington has an interest in promoting financial inclusion and in ensuring that every individual or business operating in compliance with the law can access regulated financial systems; and

WHEREAS, The federal National Defense Authorization Act (NDAA) for fiscal year 2021 expresses Congress's sense that "anti-money laundering, countering the financing of terrorism, and sanctions policies must ensure that the policies do not unduly hinder or delay legitimate access to the international financial systems for underserved individuals, entities, and geographic areas;" and

WHEREAS, The NDAA directed the United States Government Accountability Office (GAO) to analyze financial services de-risking and report to Congress, and directed the United States Department of Treasury and others to review reporting requirements now in effect and propose changes to reduce unnecessarily burdensome regulation and to develop a strategy to reduce de-risking and related adverse consequences; and

WHEREAS, The United States Department of Treasury issued their report on April 25, 2023, "The Department of the Treasury's De-Risking Strategy" with key findings and recommendations that include promoting consistent supervisory expectations that consider the impacts of de-risking; proposing regulations that require financial institutions to have reasonably designed and risk-based AML/CFT programs supervised on a risk basis, taking into consideration the effects of financial inclusion; and building on Treasury's work to modernize the United States sanctions regime and its recognition of the need to specifically calibrate sanctions to mitigate unintended economic, political, and humanitarian impacts, as outlined in *The Treasury 2021 Sanctions Review*; and

WHEREAS, The Washington state department of financial institutions has worked with representatives of local and community-based money transmitters, banks, and credit unions in Washington to develop enhanced regulatory guidance and a model account agreement to clarify expectations for financial institutions that might offer account services to affected money transmitters; and

WHEREAS, The Washington state department of financial institutions has forwarded that guidance to federal bank and credit union regulators for their review and comment in 2022; and

WHEREAS, Collaboration between federal bank and credit union regulators, the Washington state department of financial institutions, and industry stakeholders could lead to significant progress towards rolling back blanket de-risking by depository institutions with respect to local and community-based money transmitters;

NOW, THEREFORE, Your Memorialists respectfully pray that:

(1) Congress pass and the President sign legislation implementing strategies and recommendations that result from:

(a) Reports by the GAO and the Treasury Department in response to the NDAA; and

(b) Review of the Washington state department of financial institutions' regulatory guidance for depository institutions;

(2) Such legislation also include:

(a) Directives to federal financial regulatory agencies to develop regulations that clearly and specifically require financial institutions to have reasonably designed and risk-based AML programs supervised on a risk basis, taking into consideration the effects of financial inclusion;

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(b) Provisions giving federal banking regulators clarity on how to improve examiners' ability to evaluate banks' BSA/AML compliance as applied to money transmitter accounts;

(c) A requirement that financial institutions disclose a specific reason when denying or closing an account; and

(d) Provisions to help financial institutions mitigate the cost of due diligence required to comply with BSA/AML provisions impacting money transmitters; and

(3) The President direct federal bank and credit union regulators to work with the Washington state department of financial institutions and industry stakeholders to support efforts to develop new and creative solutions to improve banking access for local or community-based money transmitters.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Joseph R. Biden, Jr., President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington."

Senator Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 524 by Senator Hasegawa on page 1, line 4 to Senate Joint Memorial No. 8005.

The motion by Senator Hasegawa carried and amendment no. 524 was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Senate Joint Memorial No. 8005 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senator Hasegawa spoke in favor of passage of the memorial.

The President declared the question before the Senate to be the final passage of Engrossed Senate Joint Memorial No. 8005.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Memorial No. 8005 and the memorial passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

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

Voting nay: Senators Boehnke, Dozier, McCune and Wagoner

ENGROSSED SENATE JOINT MEMORIAL NO. 8005, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6133, by Senators McCune, Keiser, and Padden

Detering robberies from cannabis retail establishments.

The measure was read the second time.

MOTION

On motion of Senator McCune, the rules were suspended, Senate Bill No. 6133 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6133.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6133 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6133, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5931, by Senators Salomon, Kauffman, Billig, Frame, Lovelett, Pedersen, Shewmake, and Wellman

Expediting the safer products for Washington process regarding motorized vehicle tires containing 6PPD.

MOTIONS

On motion of Senator Salomon, Substitute Senate Bill No. 5931 was substituted for Senate Bill No. 5931 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5931, by Committee on Environment, Energy & Technology (originally sponsored by Senators Salomon, Kauffman, Billig, Frame, Lovelett, Pedersen, Shewmake, and Wellman)

Revised for Substitute: Addressing 6PPD in motorized vehicle tires through safer products for Washington.

On motion of Senator Salomon, the rules were suspended, Substitute Senate Bill No. 5931 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon and Fortunato spoke in favor of passage of the bill.

Senator MacEwen spoke on passage of the bill.

Senator Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5931.

MOTION

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5931 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

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

Voting nay: Senators Boehnke, Dozier, Fortunato, Hawkins, Holy, McCune, Padden, Schoesler and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5931, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6040, by Senators Valdez, Keiser, Conway, Hasegawa, and Nobles

Concerning prompt payment in public works.

MOTIONS

On motion of Senator Valdez, Substitute Senate Bill No. 6040 was substituted for Senate Bill No. 6040 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6040, by Senate Committee on State Government & Elections (originally sponsored by Valdez, Keiser, Conway, Hasegawa, and Nobles)

Senator Fortunato moved that the following amendment no. 537 by Senator Fortunato be adopted:

On page 1, line 6, after "(1)" strike "(a) When" and insert "~~(When)~~ (a) Except as provided in (b) of this subsection, when"

On page 1, beginning on line 18, after "program" strike all material through "work" on line 20

On page 1, after line 20, insert the following:

"(ii) If a contractor has not yet received payment from the state or municipality for work on a public work, a subcontractor that is a small business certified with the office of minority and women's business enterprises under chapter 39.19 RCW, or is recognized as a women or minority-owned business enterprise in a state of Washington port, county, or municipal small business or women or minority-owned business enterprise program, must opt into prompt payment from the contractor for work satisfactorily completed or material delivered. Payment under this subsection must be reduced at a rate of two percent. If a subcontractor under this subsection does not opt into payment as described under this subsection, payment must be provided as outlined in (a) of this subsection."

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

Senator Fortunato spoke in favor of adoption of the amendment.

On motion of Senator Pedersen, further consideration of Substitute Senate Bill No. 6040 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5983, by Senators Liias, Rivers, Dhingra, Nobles, Pedersen, Robinson, and Van De Wege

Allowing medical assistants with telehealth supervision to provide intramuscular injections for syphilis treatment.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5983 was substituted for Senate Bill No. 5983 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5983, By Committee on Health & Long Term Care (originally sponsored by Senators Liias, Rivers, Dhingra, Nobles, Pedersen, Robinson, and Van De Wege)

Revised for Substitute: Implementing recommendations from the 2022 sexually transmitted infection and hepatitis B virus legislative advisory group for the treatment of syphilis.

Senator Liias moved that the following amendment no. 528 by Senator Liias be adopted:

On page 6, line 19, after "chapter" strike "74.09" and insert "70.24"

On page 1, line 4 of the title, after "chapter" strike "74.09" and insert "70.24"

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 528 by Senator Liias on page 6, line 19 to Substitute Senate Bill No. 5983.

The motion by Senator Liias carried and amendment no. 528 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5983 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5983.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5983 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5983, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5635, by Senators Braun, Dhingra, Frame, Wilson, C., and Wilson, L.

Concerning victims' rights.

MOTIONS

On motion of Senator Braun, Second Substitute Senate Bill No. 5635 was substituted for Senate Bill No. 5635 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5635, by Senate Committee on Ways & Means (originally sponsored by Braun, Dhingra, Frame, Wilson, C., and Wilson, L.)

Senator Braun moved that the following striking amendment no. 514 by Senator Braun be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 7.69.030 and 2023 c 197 s 11 are each amended to read as follows:

(1) There shall be a reasonable effort made to ensure that victims, survivors of victims, and witnesses of crimes have the following rights, which apply to any adult or juvenile criminal proceeding and any civil commitment proceeding under chapter 71.09 RCW:

(a) With respect to victims of violent or sex crimes, to receive, at the time of reporting the crime to law enforcement officials, a written statement of the rights of crime victims as provided in this chapter. The written statement shall include the name, address, and telephone number of a county or local crime victim/witness program, if such a crime victim/witness program exists in the county;

(b) To be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim, survivor, or witness is involved;

(c) To be notified by the party who issued the subpoena that a court proceeding to which they have been subpoenaed will not occur as scheduled, in order to save the person an unnecessary trip to court;

(d) To receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available;

(e) To be informed of the procedure to be followed to apply for and receive any witness fees to which they are entitled;

(f) To be provided, whenever practical, a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families or friends of defendants;

(g) To have any stolen or other personal property expeditiously returned by law enforcement agencies or the superior court when no longer needed as evidence. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of which ownership is

disputed, shall be photographed and returned to the owner within ten days of being taken;

(h) To be provided with appropriate employer intercession services to ensure that employers of victims, survivors of victims, and witnesses of crime will cooperate with the criminal justice process or the civil commitment process under chapter 71.09 RCW in order to minimize an employee's loss of pay and other benefits resulting from court appearance;

(i) To access to immediate medical assistance and not to be detained for an unreasonable length of time by a law enforcement agency before having such assistance administered. However, an employee of the law enforcement agency may, if necessary, accompany the person to a medical facility to question the person about the criminal incident if the questioning does not hinder the administration of medical assistance. Victims of domestic violence, sexual assault, or stalking, as defined in RCW 49.76.020, shall be notified of their right to reasonable leave from employment under chapter 49.76 RCW;

(j) With respect to victims of violent and sex crimes, to have a crime victim advocate from a crime victim/witness program, or any other support person of the victim's choosing, present at any prosecutorial or defense interviews with the victim, and at any judicial proceedings related to criminal acts committed against the victim. This subsection applies if practical and if the presence of the crime victim advocate or support person does not cause any unnecessary delay in the investigation or prosecution of the case. The role of the crime victim advocate is to provide emotional support to the crime victim;

(k) With respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;

(l) With respect to victims and survivors of victims in any ~~((felony))~~ case ~~((or any case involving domestic violence))~~, or any final determination under chapter 71.09 RCW, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing or disposition hearing upon request by a victim or survivor;

(m) To submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney if requested, which shall be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or institution;

(n) With respect to victims and survivors of victims in any ~~((felony))~~ case ~~((or any case involving domestic violence))~~, to present a statement, personally or by representation, at the sentencing hearing; ~~((and))~~

(o) To have the victim's safety considered in bail determinations;

(p) A court when setting a trial date may take into consideration the written input of the victim or family of a victim. However, the victim's input on the scheduling of a trial date cannot impair the right of the state to present an effective prosecution or the right of the defendant to present an effective defense. If a trial cannot be provided in a reasonable time frame, the court shall provide an explanation for the delay;

(q) To be informed of victim notification services which may be available, and which can provide notification regarding the offender's place of incarceration, release from confinement, and of any escape; and

(r) With respect to victims and survivors of victims, to entry of an order of restitution by the court in all felony cases, even when the offender is sentenced to confinement, unless extraordinary

circumstances exist which make restitution inappropriate in the court's judgment.

(2) If a victim, survivor of a victim, or witness of a crime is denied a right under this section, the person may seek an order directing compliance by the relevant party or parties by filing a petition in the superior court in the county in which the crime occurred and providing notice of the petition to the relevant party or parties. Compliance with the right is the sole available remedy. The court shall expedite consideration of a petition filed under this subsection.

NEW SECTION. Sec. 2. The legislature intends to provide funding to the office of crime victims advocacy in an amount sufficient to support crime victim advocates and prosecutors in their work to ensure the rights granted to victims, survivors of victims, and witnesses of crimes in RCW 7.69.030 are protected."

On page 1, line 1 of the title, after "rights;" strike the remainder of the title and insert "amending RCW 7.69.030; and creating a new section."

MOTION

Senator Dhingra moved that the following amendment no. 544 by Senator Dhingra be adopted:

On page 2, at the beginning of line 38, strike "~~(felony)~~" and insert "felony"

On page 2, line 38, after "case" strike "~~((or any case involving domestic violence,))~~" and insert ", any case involving domestic violence,"

On page 3, at the beginning of line 9, strike "~~(felony)~~" and insert "felony"

On page 3, line 9, after "case" strike "~~((or any case involving domestic violence,))~~" and insert "or any case involving domestic violence"

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

The President declared the question before the Senate to be the adoption of amendment no. 544 by Senator Dhingra on page 2, line 38 to the striking amendment.

The motion by Senator Dhingra carried and amendment no. 544 was adopted by voice vote.

Senator Braun spoke in favor of adoption of the striking amendment as amended.

The President declared the question before the Senate to be the adoption of striking amendment no. 514 by Senator Braun as amended to Second Substitute Senate Bill No. 5635.

The motion by Senator Braun carried and striking amendment no. 514 as amended was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5635 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5635.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5635 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5635, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6015, by Senators Shewmake, Kuderer, and Liias

Concerning residential parking configurations.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 6015 was substituted for Senate Bill No. 6015 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6015, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Shewmake, Kuderer, and Liias)

On motion of Senator Shewmake, the rules were suspended, Substitute Senate Bill No. 6015 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6015.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6015 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

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

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

SUBSTITUTE SENATE BILL NO. 6015, having received the constitutional majority, was declared passed. There being no

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objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5291, by Senators Schoesler, Dozier, Mullet, King, Wagoner, Liias, and Rolfes

Concerning liquor licenses.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 5291 was substituted for Senate Bill No. 5291 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5291, by Senate Committee on Labor & Commerce (originally sponsored by Schoesler, Dozier, Mullet, King, Wagoner, Liias, and Rolfes)

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 5291 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5291.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5291 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Hasegawa and Stanford

SUBSTITUTE SENATE BILL NO. 5291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5786, by Senators Pedersen, Padden, Mullet, Nobles, and Salomon

Making updates to the Washington business corporation act.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5786 was substituted for Senate Bill No. 5786 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5786, by Senate Committee on Law & Justice (originally sponsored by Pedersen, Padden, Mullet, Nobles, and Salomon)

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5786 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5786.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5786 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5786, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5792, by Senators Padden, Pedersen, Billig, Mullet, and Wilson, J.

Concerning the definition of multiunit residential buildings.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5792 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5792.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5792 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5792, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6017, by Senators Shewmake, King, Liias, and Nobles

Expanding the use of the border area fuel tax.

The measure was read the second time.

MOTION

On motion of Senator Shewmake, the rules were suspended, Senate Bill No. 6017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6017.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6017 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6017, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6047, by Senators Warnick, Boehnke, and Short

Concerning executive sessions by publicly owned natural gas utilities under the open public meetings act in order to comply with the climate commitment act.

MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 6047 was substituted for Senate Bill No. 6047 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6047, by Senate Committee on State Government & Elections (originally sponsored by Warnick, Boehnke, and Short)

Revised for 1st Substitute: Concerning executive sessions under the open public meetings act in order to comply with the climate commitment act.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 6047 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6047.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6047 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6047, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6084, by Senators Wagoner and Lovick

Providing collector vehicles the ability to tow trailers.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 6084 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6084.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6084 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRTIETH DAY, FEBRUARY 6, 2024

SECOND READING

SENATE BILL NO. 6150, by Senators Cleveland, MacEwen, and Rivers

Extending the comprehensive plan revision schedule for select local governments.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6150 was substituted for Senate Bill No. 6150 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6150, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Cleveland, MacEwen, and Rivers)

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 6150 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6150.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6150 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6164, by Senator Wagoner

Concerning county emergency management plans.

MOTIONS

On motion of Senator Wagoner, Substitute Senate Bill No. 6164 was substituted for Senate Bill No. 6164 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6164, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Wagoner)

On motion of Senator Wagoner, the rules were suspended, Substitute Senate Bill No. 6164 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6164.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6164 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6181, by Senator Liias

Concerning law enforcement officer definition.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 6181 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6181.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6181 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8009, by Senators Hasegawa, Wagoner, Dozier, Fortunato, Frame, and Stanford

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

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

Concerning the federal harbor maintenance tax.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1964.

MOTIONS

ROLL CALL

On motion of Senator Hasegawa, Substitute Senate Joint Memorial No. 8009 was substituted for Senate Joint Memorial No. 8009 and the substitute joint memorial was placed on the second reading and read the second time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 1964 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Hasegawa, Wagoner, Dozier, Fortunato, Frame, and Stanford)

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

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Joint Memorial No. 8009 was advanced to third reading, the second reading considered the third and the joint memorial was placed on final passage.

Voting nay: Senator Shewmake

Senators Hasegawa and Wagoner spoke in favor of passage of the joint memorial.

ENGROSSED HOUSE BILL NO. 1964, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President declared the question before the Senate to be the final passage of Substitute Senate Joint Memorial No. 8009.

MOTION

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Joint Memorial No. 8009 and the joint memorial passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

At 5:12 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Wednesday, February 7, 2024.

DENNY HECK, President of the Senate

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

SARAH BANNISTER, Secretary of the Senate

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009, having received the constitutional majority, was declared passed. There being no objection, the title of the joint memorial was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1964, by Representatives Ramos, Robertson, Reeves, and Hackney

Enhancing prorate and fuel tax collections by improving taxpayer compliance, providing additional enforcement mechanisms, and protecting confidential taxpayer information.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed House Bill No. 1964 was advanced to third reading,

THIRTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 7, 2024

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

The Sergeant at Arms Color Guard consisting of Pages Miss Daisy Lehr and Miss Tiffany Lam, presented the Colors.

Mr. Andrew Ma performed the National Anthem. Mr. Ma was a guest of Senator Claire Wilson.

The prayer was offered by Pastor Brad Carlson of Yelm Prairie Christian Center.

MOTIONS

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

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

MESSAGES FROM THE HOUSE

February 6, 2024

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1153,
HOUSE BILL NO. 1978,
SUBSTITUTE HOUSE BILL NO. 1985,
HOUSE BILL NO. 1986,
SUBSTITUTE HOUSE BILL NO. 2182,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

February 6, 2024

MR. PRESIDENT:
The House has passed:

ENGROSSED HOUSE BILL NO. 1714,
SUBSTITUTE HOUSE BILL NO. 1800,
HOUSE BILL NO. 1890,
SUBSTITUTE HOUSE BILL NO. 1911,
SUBSTITUTE HOUSE BILL NO. 1924,
SUBSTITUTE HOUSE BILL NO. 1979,
SUBSTITUTE HOUSE BILL NO. 2048,
HOUSE BILL NO. 2062,
SUBSTITUTE HOUSE BILL NO. 2165,
HOUSE BILL NO. 2260,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

February 6, 2024

MR. PRESIDENT:
The House has passed:

THIRD SUBSTITUTE HOUSE BILL NO. 1579,
SUBSTITUTE HOUSE BILL NO. 1909,
HOUSE BILL NO. 1927,
HOUSE BILL NO. 1972,
SUBSTITUTE HOUSE BILL NO. 2127,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

3SHB 1579 by House Committee on Appropriations (originally sponsored by Representatives Stonier, Bateman, Lekanoff, Reed, Pollet and Macri)

AN ACT Relating to establishing a mechanism for independent prosecutions within the office of the attorney general of criminal conduct arising from police use of force; amending RCW 43.10.230, 43.10.232, 43.10.234, 36.27.020, 36.27.030, 43.102.080, and 41.80.400; adding a new section to chapter 36.27 RCW; adding new sections to chapter 43.10 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

SHB 1909 by House Committee on Health Care & Wellness (originally sponsored by Representatives Low, Ramel, Schmidt, Timmons and Schmick)

AN ACT Relating to the membership of the pharmacy quality assurance commission; and amending RCW 18.64.001.

Referred to Committee on Health & Long-Term Care.

HB 1927 by Representatives Bronoske, Berry, Ortiz-Self, Reed, Ormsby, Kloba, Doglio, Lekanoff, Fosse and Pollet

AN ACT Relating to reducing the number of days that a worker's temporary total disability must continue to receive industrial insurance compensation for the day of an injury and the three-day period following the injury; amending RCW 51.32.090 and 51.32.090; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

HB 1972 by Representatives Simmons, Harris, Reed, Ormsby and Riccelli

AN ACT Relating to increasing the licensure fees that support the Washington physicians health program; amending RCW 18.71.310, 18.71A.020, 18.57.015, 18.22.250, 18.32.534, and 18.92.047; creating a new section; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SHB 2127 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Schmidt, Berry, Leavitt, Reed, Ormsby, Graham and Pollet; by request of Department of Labor & Industries)

AN ACT Relating to increasing incentives to return to work in workers' compensation; amending RCW 51.32.090, 51.32.095, 51.32.096, and 51.32.250; and providing an effective date.

Referred to Committee on Labor & Commerce.

MOTIONS

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

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Valdez moved that Anna M. Franklin, Senate Gubernatorial Appointment No. 9381, be confirmed as a member of the Washington State Women's Commission.

Senator Valdez spoke in favor of the motion.

APPOINTMENT OF ANNA M. FRANKLIN

MOTIONS

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

On motion of Senator Nobles, Senators Salomon and Trudeau were excused.

The President declared the question before the Senate to be the confirmation of Anna M. Franklin, Senate Gubernatorial Appointment No. 9381, as a member of the Washington State Women's Commission.

The Secretary called the roll on the confirmation of Anna M. Franklin, Senate Gubernatorial Appointment No. 9381, as a member of the Washington State Women's Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Salomon

Anna M. Franklin, Senate Gubernatorial Appointment No. 9381, having received the constitutional majority was declared confirmed as a member of the Washington State Women's Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Andrea Carrillo, Senate Gubernatorial Appointment No. 9433, be confirmed as a member of the Washington State Women's Commission.

Senators Hunt and Warnick spoke in favor of passage of the motion.

APPOINTMENT OF ANDREA CARRILLO

The President declared the question before the Senate to be the confirmation of Andrea Carrillo, Senate Gubernatorial Appointment No. 9433, as a member of the Washington State Women's Commission.

The Secretary called the roll on the confirmation of Andrea Carrillo, Senate Gubernatorial Appointment No. 9433, as a member of the Washington State Women's Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

Andrea Carrillo, Senate Gubernatorial Appointment No. 9433, having received the constitutional majority was declared confirmed as a member of the Washington State Women's Commission.

MOTION

At 9:16 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 10:33 a.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced The Honorable Clyde Ballard, former State Representative and Speaker of the House of Representatives, who was present in the wings.

SECOND READING

SENATE BILL NO. 6061, by Senators Lovelett and Salomon

Concerning exemptions for housing development under the state environmental policy act.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 6061 was substituted for Senate Bill No. 6061 and the substitute bill was placed on the second reading and read the second time.

THIRTY FIRST DAY, FEBRUARY 7, 2024

SUBSTITUTE SENATE BILL NO. 6061, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Lovelett, and Salomon)

Senator Kauffman moved that the following amendment no. 546 by Senator Kauffman be adopted:

On page 5, at the beginning of line 3, insert "required"

On page 5, beginning on line 3, after "resources," strike "if mitigation is possible,"

Senator Kauffman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 546 by Senator Kauffman on page 5, line 3 to Substitute Senate Bill No. 6061.

The motion by Senator Kauffman carried and amendment no. 546 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Substitute Senate Bill No. 6061 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovelett spoke in favor of passage of the bill.

Senators Torres and Short spoke against passage of the bill.

MOTION

On motion of Senator Nobles, Senator Liias was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6061.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6061 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

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

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

Excused: Senator Liias

ENGROSSED SUBSTITUTE SENATE BILL NO. 6061, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6007, by Senators Conway, Keiser, Hasegawa, Dhingra, Randall, Saldaña, Liias, Hunt, Nguyen, Kuderer, Van De Wege, Frame, Nobles, Pedersen, Salomon, Shewmake, Stanford, Trudeau, Valdez, and Wilson, C.

Concerning employment standards for grocery workers.

MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 6007 was substituted for Senate Bill No. 6007 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6007, by Senate Committee on Labor & Commerce (originally sponsored by Conway, Keiser, Hasegawa, Dhingra, Randall, Saldaña, Liias, Hunt, Nguyen, Kuderer, Van De Wege, Frame, Nobles, Pedersen, Salomon, Shewmake, Stanford, Trudeau, Valdez, and Wilson, C.)

Senator Conway moved that the following amendment no. 560 by Senator Conway be adopted:

On page 3, line 12, after "same." insert ""Successor grocery employer" does not include any person that owns or controls 25 or fewer grocery establishments in the state. A successor grocery employer does not include an establishment operated by a franchisee pursuant to a franchise agreement if the franchisee operates 25 or fewer grocery establishments in the state."

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

The President declared the question before the Senate to be the adoption of amendment no. 560 by Senator Conway on page 3, line 12 to Substitute Senate Bill No. 6007.

The motion by Senator Conway carried and amendment no. 560 was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Substitute Senate Bill No. 6007 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6007.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6007 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

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

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

Excused: Senator Liias

ENGROSSED SUBSTITUTE SENATE BILL NO. 6007, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6286, by Senators Rivers, Cleveland, Dhingra, Dozier, Nobles, Padden, Robinson, Wellman, and Wilson, L.

Addressing the anesthesia workforce shortage by reducing barriers and expanding educational opportunities to increase the supply of certified registered nurse anesthetists in Washington.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 6286 was substituted for Senate Bill No. 6286 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6286, by Senate Committee on Ways & Means (originally sponsored by Rivers, Cleveland, Dhingra, Dozier, Nobles, Padden, Robinson, Wellman, and Wilson, L.)

Senator Rivers moved that the following amendment no. 561 by Senator Rivers be adopted:

On page 2, beginning on line 6, after "Washington" strike "institute for health metrics and evaluation" and insert "center for health workforce studies"

On page 2, line 13, after "The" strike "institute for health metrics and evaluation" and insert "center for health workforce studies"

Senators Rivers and Cleveland spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 561 by Senator Rivers on page 2, line 6 to Substitute Senate Bill No. 6286.

The motion by Senator Rivers carried and amendment no. 561 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute Senate Bill No. 6286 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6286.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6286 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

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

Voting nay: Senators Braun, Short, Wagoner and Wilson, L.

Excused: Senator Liias

ENGROSSED SUBSTITUTE SENATE BILL NO. 6286, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5184, by Senators Rivers, Cleveland, Braun, Dhingra, Mullet, Muzzall, and Rolfes

Concerning licensure of anesthesiologist assistants.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 5184 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rivers spoke in favor of passage of the bill.

The President called for order in the north wing to better allow the senators to be heard.

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

The President again called for order and requested that the Sergeant at Arms staff to close the entry doors to the north gallery and assist in maintaining order in the galleries and wings.

Senator Conway spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5184.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5184 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

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

Voting nay: Senators Conway, Kauffman, Keiser, King, Kuderer, Lovick, Randall, Robinson, Saldaña, Schoesler, Trudeau and Valdez

SENATE BILL NO. 5184, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5798, by Senators Kuderer, Shewmake, Hasegawa. and Wellman

Extending certain insurance notice requirements.

MOTIONS

THIRTY FIRST DAY, FEBRUARY 7, 2024

On motion of Senator Kuderer, Substitute Senate Bill No. 5798 was substituted for Senate Bill No. 5798 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5798, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Kuderer, Shewmake, Hasegawa, and Wellman)

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 5798 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5798.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5798 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5798, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6027, by Senators Stanford, Kuderer, and Nobles

Concerning the insurance holding company act.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Senate Bill No. 6027 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6027.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6027 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Kauffman, Keiser, King, Kuderer,

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

Absent: Senator Hunt

SENATE BILL NO. 6027, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6291, by Senators Wilson, L., Lovick, Dozier, and Short

Streamlining the state building code council operating procedures by establishing criteria for statewide amendments to the state building code.

MOTIONS

On motion of Senator Wilson, L., Substitute Senate Bill No. 6291 was substituted for Senate Bill No. 6291 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6291, by Senate Committee on State Government & Elections (originally sponsored by Wilson, L., Lovick, Dozier, and Short)

Senator Wilson, L. moved that the following striking amendment no. 540 by Senator Wilson, L. be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.27.031 and 2018 c 189 s 1 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, there shall be in effect in all counties and cities the state building code which shall consist of the following model codes which are hereby adopted by reference:

((+)) (a) (i) The International Building Code, published by the International Code Council, Inc.;

((+)) (ii) The International Residential Code, published by the International Code Council, Inc.;

((+)) (b) The International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

((+)) (c) The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying handheld candles;

((+)) (d) Portions of the International Wildland Urban Interface Code, published by the International Code Council Inc., as set forth in RCW 19.27.560;

((+)) (e) Except as provided in RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That any provisions of such code affecting sewers or fuel gas piping are not adopted;

~~((6))~~ (f) The rules adopted by the council establishing standards for making buildings and facilities accessible to and usable by individuals with disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160; and

~~((7))~~ (g) The state's climate zones for building purposes are designated in RCW 19.27A.020(3) and may not be changed through the adoption of a model code or rule.

(2) In case of conflict among the codes enumerated in subsection ~~((s))~~ (1) ~~((, (2), (3), (4), and (5)))~~ of this section, the first named code shall govern over those following.

(3)(a) The model codes enumerated in this section shall be adopted or amended by the council as provided in RCW 19.27.074 and sections 6 through 8 of this act in a three-year state building code adoption cycle. The state building code adoption cycle follows the adoption cycle of the model codes. Substantive changes to the state building code may only be adopted within the three-year cycle except as provided in section 6 of this act.

(b) The council shall review the most recent editions of each of the model codes enumerated in subsection (1) of this section and take action on adoption no later than 30 months after the date of publication of each such code. The "date of publication" is the date of publication printed in each model code. If only a month and year are shown, the date of publication for such code shall be the last day of the month shown.

(4) The council may initiate and implement an interim code adoption cycle for all Washington state building codes if a majority of its voting membership determines one is needed to correct errors and omissions, or eliminate obsolete, conflicting, redundant, or unnecessary regulations as provided in sections 6 through 8 of this act.

(5) Petitions for emergency statewide amendments to the building code may be submitted, considered, and adopted at any time in accordance with RCW 34.05.350 and sections 6 through 8 of this act.

(6) Off-cycle amendments to any of the Washington state building codes may be initiated and implemented at any time if directed by the legislature.

(7) The council shall solicit input from first responders to ensure that firefighter safety issues are addressed during the code adoption process.

(8) The council may issue opinions relating to the codes at the request of a local official charged with the duty to enforce the enumerated codes.

Sec. 2. RCW 19.27.070 and 2018 c 207 s 3 are each amended to read as follows:

There is hereby established in the department of enterprise services a state building code council, to be appointed by the governor.

(1) The state building code council shall consist of ~~((fifteen))~~ 15 members:

(a) Two members must be county elected legislative body members or elected executives;

(b) Two members must be city elected legislative body members or mayors;

(c) One member must be a local government building code enforcement official;

(d) One member must be a local government fire service official;

(e) One member must be a person with a physical disability and shall represent the disability community;

(f) One member, who is not eligible for membership on the council in any other capacity, and who has not previously been nominated or appointed to the council to represent any other group, must represent the general public; and

(g) Seven members must represent the private sector or professional organizations as follows:

(i) One member shall represent general construction, specializing in commercial and industrial building construction;

(ii) One member shall represent general construction, specializing in residential and multifamily building construction;

(iii) One member shall represent the architectural design profession;

(iv) One member shall represent the structural engineering profession;

(v) One member shall represent the mechanical engineering profession;

(vi) One member shall represent the construction building trades;

(vii) One member shall represent manufacturers, installers, or suppliers of building materials and components.

(2) At least six of these ~~((fifteen))~~ 15 members shall reside east of the crest of the Cascade mountains.

(3) The council shall include: Two members of the house of representatives appointed by the speaker of the house, one from each caucus; two members of the senate appointed by the president of the senate, one from each caucus; and an employee of the electrical division of the department of labor and industries, as ex officio, nonvoting members with all other privileges and rights of membership. Ex officio members shall not be counted for purposes of quorums, calling special meetings, or voting thresholds.

(4)(a) Terms of office shall be for three years, or for so long as the member remains qualified for the appointment.

(b) The council shall elect a member to serve as chair of the council for one-year terms of office.

(c) Any member who is appointed by virtue of being an elected official or holding public employment shall be removed from the council if he or she ceases being such an elected official or holding such public employment.

(d) Any member who is appointed to represent a specific private sector industry must maintain sufficiently similar private sector employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement or unemployment is not cause for termination. However, if a councilmember appointed to represent a specific private sector industry enters into employment outside of the industry, or outside of the private sector, he or she has been appointed to represent, then he or she must be removed from the council.

(e) Any member who no longer qualifies for appointment under this section may not vote on council actions, but may participate as an ex officio, nonvoting member until a replacement member is appointed. A member must notify the council staff and the governor's office within ~~((thirty))~~ 30 days of the date the member no longer qualifies for appointment under this section. The governor shall appoint a qualified replacement for the member within ~~((sixty))~~ 60 days of notice.

(f) Each of the 15 councilmembers appointed by the governor shall hold office until the appointment of a successor, not to exceed 90 days after the term has expired. If no appointment is made to replace the member after 90 days, the member's position shall become vacant. Vacant positions shall not be counted for purposes of quorums, calling special meetings, or voting thresholds.

(5) Before making any appointments to the building code council, the governor shall seek nominations from recognized organizations which represent the entities or interests identified in this section. The governor shall select appointees to represent private sector industries from a list of three nominations provided by the largest trade associations representing the industry~~((s))~~

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unless no names or insufficient qualifying names are put forth by the trade associations. Within three days after a councilmember's term has expired, the council must post a message on the council website informing the stakeholders and members of the public that there is an open council position. The trade associations must provide nominations no later than 30 days after a council position is open. The governor shall appoint a qualified replacement within 60 days after the qualified nominations are received.

(6) Members shall not be compensated but shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) Within one year of employment or appointment, employees of the state building code council and members of the state building code council must receive training on ethics in public service including, but not limited to, provisions of chapter 42.52 RCW.

(8) For purposes of this section, a "professional organization" includes an entity whose members are engaged in a particular lawful vocation, occupation, or field of activity of a specialized nature, including but not limited to associations, boards, educational institutions, and nonprofit organizations.

Sec. 3. RCW 19.27.074 and 2018 c 207 s 4 are each amended to read as follows:

(1) The state building code council shall:

(a) Adopt and maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes pursuant to RCW 19.27.031 and sections 6 through 8 of this act as deemed appropriate by the council;

(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply to single-family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Approve a proposed budget for the operation of the state building code council to be submitted by the department of enterprise services to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory ~~((committees which may include members of the council))~~ groups in accordance with section 7 of this act;

(b) Approve contracts for services; and

(c) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.

(3) The department of enterprise services, with the advice and input from the members of the building code council, shall:

(a) Employ a managing director of the council, and permanent and temporary staff ((and contract for services)) to perform all duties necessary to carry out the intent and purposes of this chapter and chapter 19.27A RCW;

(b) Contract with an independent, third-party entity to perform ~~((a Washington energy code baseline economic analysis and economic analysis of code proposals))~~ comparative economic and energy analyses of proposed Washington energy code amendments and prior versions of the Washington energy code, including compliance with RCW 34.05.328 and 19.27A.160; and

(c) Provide all administrative and information technology services required for the building code council.

(4) Rule-making authority as authorized in this chapter resides within the building code council.

(5)(a) All meetings of the state building code council, its standing committees, ad hoc committees, and technical advisory groups shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of statewide applicability shall be pursuant to the administrative procedure act, chapter 34.05 RCW.

(b) All council decisions relating to the codes enumerated in RCW 19.27.031 shall require approval by at least a majority of the voting members of the council.

(c) All decisions to adopt or amend codes of statewide application through a three-year code adoption cycle shall be made prior to December 1st of any year and shall not take effect before the end of the regular legislative session in the next year.

Sec. 4. RCW 19.27A.025 and 2019 c 285 s 17 are each amended to read as follows:

(1) The minimum state energy code for new and renovated nonresidential buildings, as specified in this chapter, shall be the Washington state energy code, 1986 edition, as amended. The state building code council may, by rule adopted pursuant to chapter 34.05 RCW, RCW 19.27.031, and sections 6 through 8 of this act, amend that code's requirements for new nonresidential buildings provided that:

(a) Such amendments increase the energy efficiency of typical newly constructed nonresidential buildings; and

(b) Any new measures, standards, or requirements adopted must be technically feasible, commercially available, and developed to yield the lowest overall cost to the building owner and occupant while meeting the energy reduction goals established under RCW 19.27A.160.

(2) In considering amendments to the state energy code for nonresidential buildings, the state building code council shall establish and consult with a technical advisory ~~((committee))~~ group in accordance with section 7 of this act including representatives of appropriate state agencies, local governments, general contractors, building owners and managers, design professionals, utilities, and other interested and affected parties.

(3) Decisions to amend the Washington state energy code for new nonresidential buildings shall be made prior to December 15th of any year and shall not take effect before the end of the regular legislative session in the next year. Any disputed provisions within an amendment presented to the legislature shall be approved by the legislature before going into effect. A disputed provision is one which was adopted by the state building code council with less than a two-thirds ~~((majority))~~ vote of the voting members. Substantial amendments to the code shall be adopted no more frequently than every three years except as allowed in RCW 19.27.031 and section 6 of this act.

Sec. 5. RCW 19.27A.045 and 1990 c 2 s 5 are each amended to read as follows:

The state building code council shall maintain the state energy code for residential structures in a status which is consistent with the state's interest as set forth in section 1, chapter 2, Laws of 1990. In maintaining the Washington state energy code for residential structures, beginning in 1996 the council shall review the Washington state energy code every three years. After January 1, 1996, by rule adopted pursuant to chapter 34.05 RCW, RCW 19.27.031, and sections 6 through 8 of this act, the council may amend any provisions of the Washington state energy code to increase the energy efficiency of newly constructed residential buildings. Decisions to amend the Washington state energy code for residential structures shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

NEW SECTION. Sec. 6. A new section is added to chapter 19.27 RCW to read as follows:

(1) Adoption or amendment of the state building code or statewide amendments to the state building code as defined in RCW 19.27.031 must meet the following criteria:

(a) Substantive updates to the state building code shall occur only once during the three-year state building code adoption cycle as described in RCW 19.27.031(3). No substantive provision may be adopted, amended, or repealed except during the three-year code adoption cycle, or as provided in (c) or (d) of this subsection.

(b) An interim code adoption cycle as outlined in RCW 19.27.031(4) shall not be performed earlier than 12 months nor later than 18 months from the effective date of the codes adopted pursuant to (a) of this subsection.

(c)(i) The council may adopt emergency amendments to the code at any time under the following conditions:

(A) The amendment is necessary for the preservation of the public health, safety, or general welfare; or

(B) The amendment is necessary for consistency with state or federal laws and regulations.

(ii) The council may not act on a petition for emergency statewide amendments at the meeting when the petition is introduced.

(iii) The council may accept a petition for emergency statewide amendments only when the petition provides a concise statement of the reasons for a finding that an emergency basis exists, and the council approves a finding that such an emergency basis exists by a two-thirds vote of voting members. The approval of emergency amendments requires a majority vote of the voting members.

(d) The council may adopt or amend the state building code or code sections at any time pursuant to legislative direction as reflected in legislation signed into law.

(2) Any person or entity may submit to the council a petition in writing for statewide amendments within the time periods established by the council. The petition for statewide amendment must comply with format and content requirements approved by the council.

(3) Incomplete petitions for statewide amendments or petitions that exceed the specific delegation of authority provided by the legislature shall not be considered by the council for action.

(4) The council shall approve the referral of a statewide amendment to a standing committee or technical advisory group.

(5) The council shall develop a process for council meetings that allows members of the public to understand amendments being proposed for adoption. The process shall include requirements for modifications to proposed rule text to be in writing, specify the reason for the amendment, and be available to the council and the members of the public at least seven days prior to a vote on final amendment adoption. The council shall adopt rules that encourage councilmembers and technical advisory group members to make proposed amendments and text changes available to other members and the public at least 48 hours prior to the meeting at which they will be discussed.

(6) The council must adopt policies and procedures for the adoption or amendment of the state building code that comply with the rule-making requirements in chapter 34.05 RCW and this act.

NEW SECTION. Sec. 7. A new section is added to chapter 19.27 RCW to read as follows:

(1) The state building code council may appoint technical advisory groups to review petitions for statewide amendments as authorized in this chapter and chapter 19.27A RCW.

(a) A technical advisory group may include one voting councilmember.

(b) A technical advisory group must consist of subject matter experts as designated by the council. A subject matter expert is defined as an individual who by education, training, or experience is a recognized expert on a particular subject, topic, or system.

(c) A technical advisory group member may be removed by the state building code council if the member no longer meets the qualifications necessary to fill the position.

(d) Three consecutive absences of a technical advisory group member from meetings of the technical advisory group are grounds for the state building code council to designate the member's status as ex officio, until a reappointment is made. Ex officio members are not considered when determining a quorum.

(e) Within three months of appointment, technical advisory group members must receive training on ethics in public service including, but not limited to, provisions of chapter 42.52 RCW.

(f) Technical advisory group members and the industry or stakeholder groups they are representing must be posted on the council website.

(2) Any person who wishes to be appointed to serve on a technical advisory group must submit an application that satisfies the requirements for an application set by the council. Any application for such appointment must be approved or denied within 30 days after the closing of the application submittal period.

(3) A petition for an amendment referred to a technical advisory group must be approved by a majority of the technical advisory group voting members to be taken up for consideration by the state building code council.

NEW SECTION. Sec. 8. A new section is added to chapter 19.27 RCW to read as follows:

Following the close of the public comment period and any public hearing required by chapter 34.05 RCW, the state building code council shall approve or disapprove the final adoption or amendment of codes of statewide application.

(1) Proposals must meet one or more of the criteria in section 6 of this act to be considered for approval.

(2) Proposals that do not meet these criteria may be considered in a future three-year code adoption cycle.

(3) The council may not adopt a proposal that is substantially different from the proposal made available for public testimony except as provided by RCW 34.05.340.

Sec. 9. RCW 19.27.015 and 2018 c 207 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Agricultural structure" means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure may not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor may it be a place used by the public.

(2) "Approval, "approved," or "adopted," unless otherwise defined or otherwise indicated by context, means an affirmative vote by a majority of voting members of the council, committee, or advisory group present at the time of the vote."

(3) "City" means a city or town.

~~((3))~~ (4) "Commercial building permit" means a building permit issued by a city or a county to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building not covered by a residential building permit.

~~((4))~~ (5) "Emergency statewide amendment" means any proposed statewide amendment meeting the criteria in RCW 34.05.350. A rule shall be considered an emergency rule if the council, for good cause, finds that immediate adoption or amendment of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time"

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requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to public interest.

(6) "Model codes" means the codes developed by the model code organizations and adopted by reference in RCW 19.27.031.

(7) "Model code organizations" means the national code-adopting organizations that develop the model codes, as defined in this section, such as the international code council, international association of plumbing and mechanical officials, and national fire protection association.

(8) "Multifamily residential building" means common wall residential buildings that consist of four or fewer units, that do not exceed two stories in height, that are less than ((five thousand)) 5,000 square feet in area, and that have a one-hour fire-resistive occupancy separation between units.

((5)) (9) "Off-cycle amendments" means amendments to the state building code outside of the three-year state building code adoption cycle.

(10) "Residential building permit" means a building permit issued by a city or a county to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building containing only dwelling units used for independent living of one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation, and structures accessory to dwelling units, such as detached garages and storage buildings.

((6)) (11) "State building code" means the codes adopted and amended by the council as follows:

(a) The codes referenced in this chapter;

(b) The state energy code referenced in chapter 19.27A RCW; and

(c) Any other codes so designated by the Washington state legislature as adopted and amended by the council.

(12) "State building code adoption cycle" means that period during which the state building code is adopted, updated, and amended by the council.

(13) "Statewide amendment" means any amendment to the state building code initiated through council action or by petition to the council from any agency, city, county, or interested individual or organization, that would have the effect of amending the state building code for the entire state of Washington. A statewide amendment may have a regional effect.

(14) "Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 3 of the title, after "code;" strike the remainder of the title and insert "amending RCW 19.27.031, 19.27.070, 19.27.074, 19.27A.025, 19.27A.045, and 19.27.015; and adding new sections to chapter 19.27 RCW."

The President declared the question before the Senate to be the adoption of striking amendment no. 540 by Senator Wilson, L. to Substitute Senate Bill No. 6291.

The motion by Senator Wilson, L. carried and striking amendment no. 540 was adopted by voice vote.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Engrossed Substitute Senate Bill No. 6291 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6291.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6291 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Hasegawa and Liias

ENGROSSED SUBSTITUTE SENATE BILL NO. 6291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6127, by Senators Liias, Rivers, Muzzall, Randall, Frame, Hasegawa, Kuderer, Lovick, Nobles, and Pedersen

Increasing access to human immunodeficiency virus postexposure prophylaxis drugs or therapies.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6127 was substituted for Senate Bill No. 6127 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6127, by Senate Committee on Health & Long-Term Care (originally sponsored by Liias, Rivers, Muzzall, Randall, Frame, Hasegawa, Kuderer, Lovick, Nobles, and Pedersen)

Senator Liias moved that the following striking amendment no. 554 by Senators Cleveland and Liias be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.41 RCW to read as follows:

(1) A hospital must adopt a policy and have procedures in place, that conform with the guidelines issued by the centers for disease control and prevention, for the dispensing of human immunodeficiency virus postexposure prophylaxis drugs or therapies.

(2) This policy must ensure that hospital staff dispense or deliver to a patient, with a patient's informed consent, a five-day supply of human immunodeficiency virus postexposure prophylaxis drugs or therapies following the patient's possible exposure to human immunodeficiency virus, unless medically contraindicated, inconsistent with care and treatment standards, or inconsistent with centers for disease control and prevention

guidelines. When available, hospitals shall dispense or deliver generic human immunodeficiency virus postexposure prophylaxis drugs or therapies.

(3) Nothing in this section shall be construed to alter the coverage for reimbursement of postexposure prophylaxis drugs through:

(a) The crime victims' compensation program, established in chapter 7.68 RCW, for drugs dispensed or delivered to sexual assault victims; or

(b) The industrial insurance act for drugs dispensed or delivered to a worker exposed to the human immunodeficiency virus through the course of employment.

Sec. 2. RCW 70.41.480 and 2022 c 25 s 1 are each amended to read as follows:

(1) The legislature finds that high quality, safe, and compassionate health care services for patients of Washington state must be available at all times. The legislature further finds that there is a need for patients being released from hospital emergency departments to maintain access to emergency medications when community or hospital pharmacy services are not available, including medication for opioid overdose reversal and for the treatment for opioid use disorder as appropriate. It is the intent of the legislature to accomplish this objective by allowing practitioners with prescriptive authority to prescribe limited amounts of prepackaged emergency medications to patients being discharged from hospital emergency departments when access to community or outpatient hospital pharmacy services is not otherwise available.

(2) A hospital may allow a practitioner to prescribe prepackaged emergency medications and allow a practitioner or a registered nurse licensed under chapter 18.79 RCW to distribute prepackaged emergency medications to patients being discharged from a hospital emergency department in the following circumstances:

(a) During times when community or outpatient hospital pharmacy services are not available within 15 miles by road; ~~((or))~~

(b) When, in the judgment of the practitioner and consistent with hospital policies and procedures, a patient has no reasonable ability to reach the local community or outpatient pharmacy; or

(c) When a patient is identified as needing human immunodeficiency virus postexposure prophylaxis drugs or therapies.

(3) A hospital may only allow this practice if: The director of the hospital pharmacy, in collaboration with appropriate hospital medical staff, develops policies and procedures regarding the following:

(a) Development of a list, preapproved by the pharmacy director, of the types of emergency medications to be prepackaged and distributed;

(b) Assurances that emergency medications to be prepackaged pursuant to this section are prepared by a pharmacist or under the supervision of a pharmacist licensed under chapter 18.64 RCW;

(c) Development of specific criteria under which emergency prepackaged medications may be prescribed and distributed consistent with the limitations of this section;

(d) Assurances that any practitioner authorized to prescribe prepackaged emergency medication or any nurse authorized to distribute prepackaged emergency medication is trained on the types of medications available and the circumstances under which they may be distributed;

(e) Procedures to require practitioners intending to prescribe prepackaged emergency medications pursuant to this section to maintain a valid prescription either in writing or electronically in

the patient's records prior to a medication being distributed to a patient;

(f) Establishment of a limit of no more than a 48 hour supply of emergency medication as the maximum to be dispensed to a patient, except when community or hospital pharmacy services will not be available within 48 hours ~~((In no case may the policy allow a supply exceeding 96 hours be dispensed)), or when antibiotics or human immunodeficiency virus postexposure prophylaxis drugs or therapies are required;~~

(g) Assurances that prepackaged emergency medications will be kept in a secure location in or near the emergency department in such a manner as to preclude the necessity for entry into the pharmacy; and

(h) Assurances that nurses or practitioners will distribute prepackaged emergency medications to patients only after a practitioner has counseled the patient on the medication.

(4) The delivery of a single dose of medication for immediate administration to the patient is not subject to the requirements of this section.

(5) Nothing in this section restricts the authority of a practitioner in a hospital emergency department to distribute opioid overdose reversal medication under RCW 69.41.095.

(6) A practitioner or a nurse in a hospital emergency department must dispense or distribute opioid overdose reversal medication in compliance with RCW 70.41.485.

(7) For purposes of this section:

(a) "Emergency medication" means any medication commonly prescribed to emergency department patients, including those drugs, substances or immediate precursors listed in schedules II through V of the uniform controlled substances act, chapter 69.50 RCW, as now or hereafter amended.

(b) "Distribute" means the delivery of a drug or device other than by administering or dispensing.

(c) "Opioid overdose reversal medication" has the same meaning as provided in RCW 69.41.095.

(d) "Practitioner" means any person duly authorized by law or rule in the state of Washington to prescribe drugs as defined in RCW 18.64.011(29).

(e) "Nurse" means a registered nurse or licensed practical nurse as defined in chapter 18.79 RCW.

NEW SECTION. Sec. 3. A new section is added to chapter 48.43 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, for nongrandfathered health plans issued or renewed on or after January 1, 2025, a health carrier may not impose cost sharing or require prior authorization for the drugs that comprise at least one regimen recommended by the centers for disease control and prevention for human immunodeficiency virus postexposure prophylaxis.

(2) For a health plan that is offered as a qualifying health plan for a health savings account, the health carrier must establish the plan's cost sharing for the coverage required by this section at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions and withdrawals from the enrollee's health savings account under the internal revenue service laws and regulations.

(3) Notwithstanding the coverage requirements of this section, a health plan shall reimburse a hospital that bills for a five-day supply of any human immunodeficiency virus postexposure prophylaxis drugs or therapies dispensed or delivered to a patient in the emergency department for take-home use, pursuant to section 1 of this act, as a separate reimbursable expense. This reimbursable expense is separate from any bundled payment for emergency department services.

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NEW SECTION. **Sec. 4.** A new section is added to chapter 74.09 RCW to read as follows:

(1) All medicaid contracted managed care organizations shall provide coverage without prior authorization for the drugs that comprise at least one regimen recommended by the centers for disease control and prevention for human immunodeficiency virus postexposure prophylaxis.

(2) Notwithstanding the coverage requirements of this section, a medicaid contracted managed care organization shall reimburse a hospital that bills for a five-day supply of any human immunodeficiency virus postexposure prophylaxis drugs or therapies dispensed or delivered to a patient in the emergency department for take-home use, pursuant to section 1 of this act, as a separate reimbursable expense. This reimbursable expense is separate from any bundled payment for emergency department services.

Sec. 5. RCW 41.05.017 and 2022 c 236 s 3, 2022 c 228 s 2, and 2022 c 10 s 2 and are each reenacted and amended to read as follows:

Each health plan that provides medical insurance offered under this chapter, including plans created by insuring entities, plans not subject to the provisions of Title 48 RCW, and plans created under RCW 41.05.140, are subject to the provisions of RCW 48.43.500, 70.02.045, 48.43.505 through 48.43.535, 48.43.537, 48.43.545, 48.43.550, 70.02.110, 70.02.900, 48.43.190, 48.43.083, 48.43.0128, 48.43.780, 48.43.435, 48.43.815, section 3 of this act, and chapter 48.49 RCW.

NEW SECTION. **Sec. 6.** This act takes effect January 1, 2025."

On page 1, line 2 of the title, after "therapies;" strike the remainder of the title and insert "amending RCW 70.41.480; reenacting and amending RCW 41.05.017; adding a new section to chapter 70.41 RCW; adding a new section to chapter 48.43 RCW; adding a new section to chapter 74.09 RCW; and providing an effective date."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 554 by Senators Cleveland and Liias to Substitute Senate Bill No. 6127.

The motion by Senator Liias carried and striking amendment no. 554 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 6127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6127.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6127 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5793, by Senators Saldaña, Keiser, Kuderer, Lovelett, Nobles, Stanford, Valdez, and Wilson, C.

Concerning paid sick leave.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5793 was substituted for Senate Bill No. 5793 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5793, by Senate Committee on Labor & Commerce (originally sponsored by Saldaña, Keiser, Kuderer, Lovelett, Nobles, Stanford, Valdez, and Wilson, C.)

Senator Saldaña moved that the following amendment no. 555 by Senator Saldaña be adopted:

On page 2, line 9, after "or" strike "a public emergency" and insert "after the declaration of an emergency by a local or state government or agency, or by the federal government"

On page 6, line 26, after "closed" strike "due to a public emergency" and insert "after the declaration of an emergency by a local or state government or agency, or by the federal government"

Senator Saldaña spoke in favor of adoption of the amendment.

Senator King spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 555 by Senator Saldaña on page 2, line 9 to Substitute Senate Bill No. 5793.

The motion by Senator Saldaña carried and amendment no. 555 was adopted on a rising vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Mullet and without objection, amendment no. 550 by Senator Mullet on page 3, line 31 to Substitute Senate Bill No. 5793 was withdrawn.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5793 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5793.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5793 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5793, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:46 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus at 12 o'clock p.m.

Senator Warnick announced a meeting of the Republican Caucus at 12 o'clock p.m.

AFTERNOON SESSION

The Senate was called to order at 2:15 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 6298, by Senators Frame, Kauffman, Hunt, Kuderer, Lias, Lovick, Nobles, Shewmake, Valdez, and Wellman

Concerning the duty of the clergy to report child abuse or neglect.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 549 by Senators Fortunato, Holy, Padden and Warnick be adopted:

On page 9, line 23, after "(vi)" strike "Regardless of (g)(i) of this subsection, a" and insert "A"

On page 9, line 26, after "neglected." strike all material through "result" on line 27 and insert "except with regard to information that a member of the clergy obtains in the member's professional character as a religious or spiritual advisor when the information is obtained solely in the context"

Senators Fortunato, Padden, Warnick and Holy spoke in favor of adoption of the amendment.

Senators Frame and Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 549 by Senators Fortunato, Holy, Padden and Warnick on page 9, line 23 to Senate Bill No. 6298.

The motion by Senator Fortunato did not carry and amendment no. 549 was not adopted by voice vote.

MOTION

On motion of Senator Frame, the rules were suspended, Senate Bill No. 6298 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame, Warnick and Hawkins spoke in favor of passage of the bill.

Senator Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6298.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6298 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

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

Voting nay: Senators Boehnke, Dozier, Fortunato, Holy and Padden

SENATE BILL NO. 6298, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6140, by Senators Short, Lovelett, Braun, and Kuderer

Concerning limited areas of more intensive rural development.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 6140 was substituted for Senate Bill No. 6140 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6140, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Braun, and Kuderer)

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 6140 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6140.

ROLL CALL

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The Secretary called the roll on the final passage of Substitute Senate Bill No. 6140 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6202, by Senators Kauffman and Lovelett

Concerning technical changes to allowable exemptions for tourism promotion area assessments.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Senate Bill No. 6202 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6202.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6202 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Wilson, J.

SENATE BILL NO. 6202, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6101, by Senators Cleveland, Rivers, Hasegawa, Kuderer, Randall, Robinson, Salomon, Van De Wege, and Wellman

Concerning hospital at-home services.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6101 was substituted for Senate Bill No. 6101 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6101, by Senate Committee on Health & Long-Term Care (originally sponsored by Cleveland, Rivers, Hasegawa, Kuderer, Randall, Robinson, Salomon, Van De Wege, and Wellman)

Senator Cleveland moved that the following amendment no. 569 by Senators Cleveland and Rivers be adopted:

On page 2, line 22, after "program." insert "In establishing the initial standards, the department shall consider the provisions of the federal program and endeavor to make the standards substantially similar."

On page 2, beginning on line 22, after "standards" strike all material through "shall" on line 27 and insert "may"

On page 2, line 27, after "would" insert "make a hospital ineligible for or"

On page 2, line 28, after "program." insert "The department may adopt additional standards to promote safe care and treatment of patients as needed."

Senators Cleveland and Muzzall spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 569 by Senators Cleveland and Rivers on page 2, line 22 to Substitute Senate Bill No. 6101.

The motion by Senator Cleveland carried and amendment no. 569 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute Senate Bill No. 6101 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6101.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6101 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6101, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6151, by Senators Randall, Wilson, C., Nobles, Trudeau, Kuderer, Dhingra, Frame, Hasegawa, Keiser, Liias, Saldaña, Stanford, and Valdez

Concerning the provision of an ultrasound.

The measure was read the second time.

MOTION

Senator Wagoner moved that the following amendment no. 551 by Senator Muzzall be adopted:

On page 1, after line 16, insert the following:

"(3) This section does not apply to the use of an ultrasound on a person's own body."

WITHDRAWAL OF AMENDMENT

On motion of Senator Muzzall and without objection, amendment no. 551 by Senator Muzzall on page 1, line 16 to Senate Bill No. 6151 was withdrawn.

MOTION

Senator Muzzall moved that the following amendment no. 552 by Senator Muzzall be adopted:

On page 1, after line 16, insert the following:

"(3) This section does not apply to the use of an ultrasound by a person on livestock or other animals owned or being raised by that person."

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

The President declared the question before the Senate to be the adoption of amendment no. 552 by Senator Muzzall on page 1, after line 16 to Senate Bill No. 6151.

The motion by Senator Muzzall carried and amendment no. 552 was adopted by voice vote.

MOTION

Senator Muzzall moved that the following amendment no. 553 by Senator Rivers be adopted:

On page 1, after line 16, insert the following:

"(3) Notwithstanding the requirements of this section, emergency medical personnel, including emergency medical technicians, advanced emergency medical technicians, emergency medical responders, and paramedics, may provide an ultrasound as necessary in the course of their employment."

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

Senators Van De Wege and Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 553 by Senator Rivers on page 1, after line 16 to Senate Bill No. 6151.

The motion by Senator Muzzall carried and amendment no. 553 was adopted by voice vote.

MOTION

On motion of Senator Randall, the rules were suspended, Engrossed Senate Bill No. 6151 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Randall spoke in favor of passage of the bill.

Senators Fortunato and Wagoner spoke against passage of the bill.

Senator Padden spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6151.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6151 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

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

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

ENGROSSED SENATE BILL NO. 6151, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SENATE BILL NO. 5340, by Senator King

Regarding limits on the sale and possession of retail cannabis products.

The bill was read on Third Reading.

MOTIONS

On motion of Senator King, the rules were suspended and Senate Bill No. 5340 was returned to second reading for the purposes of amendment.

Senator King moved that the following amendment no. 563 by Senator King be adopted:

Beginning on page 2, line 16, strike all of section 2 and insert the following:

"Sec. 2. RCW 69.50.4013 and 2023 sp.s. c 1 s 2 are each amended to read as follows:

(1) Except as otherwise authorized by this chapter, it is unlawful for any person to:

(a) Knowingly possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice; or

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(b) Knowingly use a controlled substance in a public place, unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice.

(2)(a) Except as provided in RCW 69.50.4014 or 69.50.445, a violation of subsection (1)(a) or (b) of this section is a gross misdemeanor punishable by imprisonment of up to 180 days in jail, or by a fine of not more than \$1,000, or by both such imprisonment and fine, however, if the defendant has two or more prior convictions under subsection (1)(a) or (b) of this section occurring after July 1, 2023, a violation of subsection (1)(a) or (b) of this section is punishable by imprisonment for up to 364 days, or by a fine of not more than \$1,000, or by both such imprisonment and fine. The prosecutor is encouraged to divert such cases for assessment, treatment, or other services.

(b) No person may be charged under both subsection (1)(a) and (b) of this section relating to the same course of conduct.

(c) In lieu of jail booking and referral to the prosecutor, law enforcement is encouraged to offer a referral to assessment and services available under RCW 10.31.110 or other program or entity responsible for receiving referrals in lieu of legal system involvement, which may include, but are not limited to, arrest and jail alternative programs established under RCW 36.28A.450, law enforcement assisted diversion programs established under RCW 71.24.589, and the recovery navigator program established under RCW 71.24.115.

(3)(a) The possession, by a person 21 years of age or older, of useable cannabis, cannabis concentrates, or cannabis-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of cannabis, useable cannabis, cannabis concentrates, and cannabis-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4)(a) The delivery by a person 21 years of age or older to one or more persons 21 years of age or older, during a single 24 hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following cannabis products, is not a violation of this section, this chapter, or any other provisions of Washington state law:

- (i) One-half ounce of useable cannabis;
- (ii) Eight ounces of cannabis-infused product in solid form;
- (iii) 36 ounces of cannabis-infused product in liquid form unless the cannabis-infused product in liquid form is packaged in individual units containing no more than four milligrams of THC per unit; ((or))

(iv) 100 milligrams of THC within a cannabis-infused product in liquid form if the product is packaged in individual units containing no more than four milligrams of THC per unit; or

(v) Three and one-half grams of cannabis concentrates.

(b) The act of delivering cannabis or a cannabis product as authorized under this subsection (4) must meet one of the following requirements:

(i) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or

(ii) The cannabis or cannabis product must be in the original packaging as purchased from the cannabis retailer.

(5) No person under 21 years of age may manufacture, sell, distribute, or knowingly possess cannabis, cannabis-infused

products, or cannabis concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

(6) The possession by a qualifying patient or designated provider of cannabis concentrates, useable cannabis, cannabis-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

(7) For the purposes of this section, "public place" has the same meaning as defined in RCW 66.04.010, but the exclusions in RCW 66.04.011 do not apply.

(8) For the purposes of this section, "use a controlled substance" means to introduce the substance into the human body by injection, inhalation, ingestion, or any other means."

Senator King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 563 by Senator King on page 2, line 16 to Senate Bill No. 5340.

The motion by Senator King carried and amendment no. 563 was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Senate Bill No. 5340 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5340.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5340 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Padden

ENGROSSED SENATE BILL NO. 5340, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 6256, by Senators Stanford, Conway, Hasegawa, Kuderer, Nobles, Saldaña, and Valdez

Providing solar consumer protections.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 6256 was substituted for Senate Bill No. 6256 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6256, by Senate Committee on Labor & Commerce (originally sponsored by Stanford, Conway, Hasegawa, Kuderer, Nobles, Saldaña, and Valdez)

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 6256 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6256.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6256 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Padden

SUBSTITUTE SENATE BILL NO. 6256, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5881, by Senators MacEwen, Conway, and Robinson

Concerning membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government.

The measure was read the second time.

MOTION

On motion of Senator MacEwen, the rules were suspended, Senate Bill No. 5881 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Wagoner, Senator Padden was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5881.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5881 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5881, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6105, by Senators Saldaña, Trudeau, Nguyen, Hunt, Lovelett, Pedersen, and Wilson, C.

Creating safer working conditions in adult entertainment establishments.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 6105 was substituted for Senate Bill No. 6105 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6105, by Senate Committee on Labor & Commerce (originally sponsored by Saldaña, Trudeau, Nguyen, Hunt, Lovelett, Pedersen, and Wilson, C.)

Senator Saldaña moved that the following amendment no. 529 by Senator Saldaña be adopted:

On page 3, line 26, after "this" strike "section" and insert "subsection (4)"

On page 3, line 26, after "department" insert ". Records provided to the department under this subsection (4) are deemed confidential and shall not be open to public inspection, provided that the records shall be made available to law enforcement or employees of governmental agencies in the performance of their official duties, and to an entertainer or employee or their legal representative"

On page 5, beginning on line 2, after "conducted" strike all material through "body" on line 12 and insert "((#)) within the view of one or more members of the public inside a premises where such exhibition, performance, or dance involves an entertainer, who((#

((#)) is unclothed or in such attire, costume, or clothing as to expose to view any portion of the breast below the top of the areola or any portion of the pubic region, anus, ((#)) vulva, or genitals((#

((#)) Touches, caresses, or fondles the breasts, buttocks, anus, genitals, or pubic region of another person, or permits the touching, caressing, or fondling of the entertainer's own breasts,

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buttocks, anus, genitals, or pubic region by another person)), with ((the) an intent to sexually arouse or excite another person"

Senator Saldaña spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 529 by Senator Saldaña on page 3, line 26 to Substitute Senate Bill No. 6105.

The motion by Senator Saldaña carried and amendment no. 529 was adopted by voice vote.

MOTION

Senator Pedersen moved that the following amendment no. 567 by Senators Pedersen and Saldaña be adopted:

On page 7, after line 30, insert the following:

"(4) The board shall repeal the rule currently codified as WAC 314-11-050 in its entirety. Repeal of this rule shall not be construed to legalize conduct described in the rule which is otherwise illegal under existing statutes in the Revised Code of Washington."

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

Senators Pedersen, Keiser and Liias spoke in favor of adoption of the amendment.

Senators Fortunato and Padden spoke against adoption of the amendment.

Senator King spoke on adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 567 by Senators Pedersen and Saldaña on page 7, after line 30 to Substitute Senate Bill No. 6105.

The motion by Senator Pedersen carried and amendment no. 567 was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 6105 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6105.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6105 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6105, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5940, by Senators Van De Wege, Hasegawa, Keiser, Lovick, Muzzall, and Wagoner

Creating a medical assistant-EMT certification.

MOTIONS

On motion of Senator Van De Wege, Substitute Senate Bill No. 5940 was substituted for Senate Bill No. 5940 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5940, by Senate Committee on Health & Long Term Care (originally sponsored by Van De Wege, Hasegawa, Keiser, Lovick, Muzzall, and Wagoner)

On motion of Senator Van De Wege, the rules were suspended, Substitute Senate Bill No. 5940 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5940.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5940 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5940, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6059, by Senators Frame, McCune, Keiser, Kuderer, Randall, Saldaña, Valdez, Van De Wege, Wellman, and Wilson, C.

Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit.

MOTIONS

On motion of Senator Frame, Substitute Senate Bill No. 6059 was substituted for Senate Bill No. 6059 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6059, by Senate Committee on Housing (originally sponsored by Frame, McCune, Keiser, Kuderer, Randall, Saldaña, Valdez, Van De Wege, Wellman, and Wilson, C.)

On motion of Senator Frame, the rules were suspended, Substitute Senate Bill No. 6059 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6059.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6059 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6059, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SUBSTITUTE SENATE BILL NO. 5649, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Braun)

Concerning floodproofing improvements to residential structures undertaken in accordance with the Chehalis basin strategy.

The bill was read on Third Reading.

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

MOTION

On motion of Senator Nobles, Senator Saldaña was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5649.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5649 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 5649, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5778, by Senators Keiser, Lovick, Conway, Trudeau, Stanford, Randall, Shewmake, Dhingra, Van De Wege, Nguyen, Valdez, Kauffman, Hasegawa, Lovelett, Liias, Frame, Hunt, Cleveland, Kuderer, Nobles, Salomon, and Wilson, C.

Protecting the rights of workers to refrain from attending meetings or listening to their employer's speech on political or religious matters.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5778 was substituted for Senate Bill No. 5778 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5778, by Senate Committee on Labor & Commerce (originally sponsored by Keiser, Lovick, Conway, Trudeau, Stanford, Randall, Shewmake, Dhingra, Van De Wege, Nguyen, Valdez, Kauffman, Hasegawa, Lovelett, Liias, Frame, Hunt, Cleveland, Kuderer, Nobles, Salomon, and Wilson, C.)

Senator Keiser moved that the following amendment no. 498 by Senator Keiser be adopted:

On page 2, line 23, after "voluntary;" strike "or"

On page 2, line 28, after "duties" insert: "; or

(d) Prohibit an employer or its agent, representative, or designee from requiring its employees to attend any training intended to reduce and prevent workplace harassment or discrimination"

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

The President declared the question before the Senate to be the adoption of amendment no. 498 by Senator Keiser on page 2, line 23 to Substitute Senate Bill No. 5778.

The motion by Senator Keiser carried and amendment no. 498 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5778 was advanced to third

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

Senator Keiser spoke in favor of passage of the bill.
Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5778.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5778 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

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

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

Excused: Senator Saldaña

ENGROSSED SUBSTITUTE SENATE BILL NO. 5778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5862, by Senators Fortunato, McCune, Padden, Warnick, and Wilson, L.

Concerning hunting and fishing licenses for nonresident college students.

The measure was read the second time.

MOTION

On motion of Senator Fortunato, the rules were suspended, Senate Bill No. 5862 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5862.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5862 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

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

Voting nay: Senators Boehnke, Dozier, Liias, Rivers and Schoesler

Excused: Senator Saldaña

SENATE BILL NO. 5862, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:59 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of a brief rostrum break.

The Senate was called to order at 5:12 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 6100, by Senators Robinson and Nguyen

Making expenditures from the budget stabilization account for declared catastrophic events.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 6100 was substituted for Senate Bill No. 6100 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6100, by Senate Committee on Ways & Means (originally sponsored by Robinson, and Nguyen)

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 6100 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6100.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6100 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Hansen

Excused: Senators McCune and Saldaña

SUBSTITUTE SENATE BILL NO. 6100, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

Senator Dhingra spoke in favor of passage of the bill.
Senator Padden spoke against passage of the bill.

SECOND READING

SENATE BILL NO. 6246, by Senators Dhingra, Kuderer, Nobles, Saldaña, Valdez, Wellman, and Wilson, C.

Concerning transmission of information relating to firearm prohibitions for persons committed for mental health treatment.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following amendment no. 545 by Senator Dhingra be adopted:

- On page 1, line 14, after "RCW for" strike "evaluation or"
- On page 1, line 16, after "RCW" insert "10.77.084 or"
- On page 2, line 14, after "RCW, for" strike "evaluation or"
- On page 2, at the beginning of line 17, insert "10.77.084 or"

Senator Dhingra spoke in favor of adoption of the amendment.
The President declared the question before the Senate to be the adoption of amendment no. 545 by Senator Dhingra on page 1, line 14 to Senate Bill No. 6246.

The motion by Senator Dhingra carried and amendment no. 545 was adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 566 by Senator Padden be adopted:

On page 1, beginning on line 16, after "RCW" strike "10.77.086, or the charges are dismissed based on incompetency to stand trial under RCW"

On page 2, beginning on line 16, after "RCW" strike "10.77.086, or the charges are dismissed based on incompetency to stand trial under RCW"

On page 2, line 18, after "10.77.088" strike "~~(and)~~ when" and insert "and"

On page 3, beginning on line 10, after "RCW" strike "10.77.086, or the charges are dismissed based on incompetency to stand trial under RCW"

Beginning on page 5, line 27, strike all of section 3

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

On page 1, line 4 of the title, after "9.41.047" strike ", 10.77.086,"

Senator Padden spoke in favor of adoption of the amendment.
Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 566 by Senator Padden on page 1, line 16 to Senate Bill No. 6246.

The motion by Senator Padden did not carry and amendment no. 566 was not adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Senate Bill No. 6246 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6246.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6246 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

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

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

Excused: Senator McCune

ENGROSSED SENATE BILL NO. 6246, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6120, by Senators Van De Wege, Braun, and Short

Concerning the Wildland Urban Interface Code.

The measure was read the second time.

MOTION

Senator Van De Wege moved that the following striking amendment no. 548 by Senator Van De Wege be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.27.031 and 2018 c 189 s 1 are each amended to read as follows:

Except as otherwise provided in this chapter, there shall be in effect in all counties and cities the state building code which shall consist of the following codes which are hereby adopted by reference:

(1)(a) The International Building Code, published by the International Code Council, Inc.;

(b) The International Residential Code, published by the International Code Council, Inc.;

(2) The International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

(3) The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying handheld candles;

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(4) ~~((Portions))~~ Only those portions of the International Wildland Urban Interface Code, published by the International Code Council Inc., as ~~((set forth))~~ specifically referenced in RCW 19.27.560(1), or the model International Wildland Urban Interface Code specifically referenced in RCW 19.27.560(2);

(5) ~~((Except as provided in RCW 19.27.170, the))~~ The Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That any provisions of such code affecting sewers or fuel gas piping are not adopted;

(6) The rules adopted by the council establishing standards for making buildings and facilities accessible to and usable by individuals with disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160; and

(7) The state's climate zones for building purposes are designated in RCW 19.27A.020(3) and may not be changed through the adoption of a model code or rule.

In case of conflict among the codes enumerated in subsections (1), (2), (3), (4), and (5) of this section, the first named code shall govern over those following.

The codes enumerated in this section shall be adopted by the council as provided in RCW 19.27.074. The council shall solicit input from first responders to ensure that firefighter safety issues are addressed during the code adoption process.

The council may issue opinions relating to the codes at the request of a local official charged with the duty to enforce the enumerated codes.

Sec. 2. RCW 19.27.074 and 2018 c 207 s 4 are each amended to read as follows:

(1) The state building code council shall:

(a) Adopt and maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes as deemed appropriate by the council, provided, that Wildland Urban Interface Codes must be consistent with RCW 19.27.560;

(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply to single-family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Approve a proposed budget for the operation of the state building code council to be submitted by the department of enterprise services to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory committees which may include members of the council;

(b) Approve contracts for services; and

(c) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.

(3) The department of enterprise services, with the advice and input from the members of the building code council, shall:

(a) Employ permanent and temporary staff and contract for services;

(b) Contract with an independent, third-party entity to perform a Washington energy code baseline economic analysis and economic analysis of code proposals; and

(c) Provide all administrative and information technology services required for the building code council.

(4) Rule-making authority as authorized in this chapter resides within the building code council.

(5)(a) All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of statewide applicability shall be pursuant to the administrative procedure act, chapter 34.05 RCW.

(b) All council decisions relating to the codes enumerated in RCW 19.27.031 shall require approval by at least a majority of the members of the council.

(c) All decisions to adopt or amend codes of statewide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

Sec. 3. RCW 19.27.560 and 2018 c 189 s 2 are each amended to read as follows:

(1) In addition to the provisions of RCW 19.27.031, the state building code shall, upon the completion of a statewide ~~((mapping of wildland urban interface areas consist of the following parts))~~ wildfire hazard map and a base-level wildfire risk map for each county of the state, per RCW 43.30.580, consist of chapter 1 and the following technical provisions of the ~~((2018))~~ International Wildland Urban Interface Code, published by the International Code Council, Inc., which are hereby adopted by reference:

(a) The following parts of ~~((section 504))~~ class 1 ignition-resistant construction:

(i)(A) ~~((504.2))~~ Roof covering - Roofs shall have a roof assembly that complies with class A rating when testing in accordance with American society for testing materials E 108 or underwriters laboratories 790. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire stopped to preclude entry of flames or embers, or have one layer of seventy-two pound mineral-surfaced, nonperforated camp sheet complying with American society for testing materials D 3909 installed over the combustible decking.

(B) The roof covering on buildings or structures in existence prior to the adoption of the wildland urban interface code under this section that are replaced or have fifty percent or more replaced in a twelve month period shall be replaced with a roof covering required for new construction based on the type of ignition-resistant construction specified in accordance with ~~((section 503 of))~~ the International Wildland Urban Interface Code.

(C) The roof covering on any addition to a building or structure shall be replaced with a roof covering required for new construction based on the type of ignition-resistant construction specified in accordance with ~~((section 503 of))~~ the International Wildland Urban Interface Code.

(ii) ~~((504.5))~~ Exterior walls - Exterior walls of buildings or structures shall be constructed with one of the following methods:

(A) Materials approved for not less than one hour fire-resistance rated construction on the exterior side;

(B) Approved noncombustible materials;

(C) Heavy timber or log wall construction;

(D) Fire retardant-treated wood on the exterior side. The fire retardant-treated wood shall be labeled for exterior use and meet the requirements of ~~((section 2303.2 of))~~ the International Building Code; or

(E) Ignition-resistant materials on the exterior side.

Such materials shall extend from the top of the foundation to the underside of the roof sheathing.

(iii)(A) ~~((504.7))~~ Appendages and projections - Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall not be less than one hour fire-resistance rated construction, heavy timber construction, or constructed of one of the following:

(I) Approved noncombustible materials;
 (II) Fire retardant-treated wood identified for exterior use and meeting the requirements of ~~((section 2303.2 of))~~ the International Building Code; or

(III) Ignition-resistant building materials in accordance with ~~((section 503.2 of))~~ the International Wildland Urban Interface Code.

(B) Subsection (1)(a)(iii)(A) of this section does not apply to an unenclosed accessory structure attached to buildings with habitable spaces and projections, such as decks, attached to the first floor of a building if the structure is built with building materials at least two inches nominal depth and the area below the unenclosed accessory structure is screened with wire mesh screening to prevent embers from coming in from underneath.

(b) ~~((Section 403.2))~~ Driveways - Driveways shall be provided where any portion of an exterior wall of the first story of the building is located more than one hundred fifty feet from a fire apparatus access road. Driveways in excess of three hundred feet in length shall be provided with turnarounds and driveways in excess of five hundred feet in length and less than twenty feet in width shall be provided with turnouts and turnarounds. The county, city, or town will define the requirements for a turnout or turnaround as required in this subsection.

(2) All counties, cities, and towns may adopt the International Wildland Urban Interface Code, published by the International Code Council, Inc., in whole or any portion thereof.

(3) In adopting and maintaining the code enumerated in subsection ~~((s))~~ (1) ~~((and (2)))~~ of this section, any amendment to the code as adopted under subsection ~~((s))~~ (1) ~~((and (2)))~~ of this section may not result in an International Wildland Urban Interface Code that is more than the minimum performance standards and requirements contained in ~~((the published model code))~~ subsection (1) of this section.

(4) All counties, cities, and towns may complete their own wildfire hazard and base-level wildfire risk map for use in applying the code enumerated in subsections (1) and (2) of this section. Counties, cities, and towns may continue to use locally adopted wildfire risk maps until completion of a statewide wildfire hazard map and base-level wildfire risk map for each county of the state per RCW 43.30.580. Six months after the statewide wildfire hazard map and base-level wildfire risk map is complete, any map adopted by counties, cities, and towns must utilize the same or substantially similar criteria as the map required by subsection (1) of this section.

(5) All counties, cities, and towns issuing commercial and residential building permits for parcels in areas identified as high hazard and very high hazard on the map required by subsection (1) of this section or adopted according to subsection (4) of this section shall apply the code enumerated in subsections (1) or (2) of this section.

Sec. 4. RCW 43.30.580 and 2018 c 189 s 3 are each amended to read as follows:

(1) The department shall, to the extent practical within existing resources, establish a program of technical assistance to counties, cities, and towns for the development of findings of fact and maps establishing the wildland urban interface areas of jurisdictions in accordance with the requirements of the International Wildland Urban Interface Code as adopted by reference in RCW 19.27.560.

(2) The department shall develop and administer a grant program, subject to funding provided for this purpose, to provide direct financial assistance to counties, cities, and towns for the development of findings of fact and maps establishing wildland urban interface areas. Applications for grant funds must be submitted by counties, cities, and towns in accordance with regulations adopted by the department. The department is

authorized to make and administer grants on the basis of applications, within appropriations authorized by the legislature, to any county, city, or town for the purpose of developing findings of fact and maps establishing wildland urban interface areas.

(3) The department shall establish and maintain a statewide wildfire hazard map and a base-level wildfire risk map for each county of the state based upon criteria established in coordination with the state fire marshal office. The hazard map shall be made available on the department's website and shall designate areas as low, moderate, high, and very high wildfire hazard. The risk map shall be made available on the department's website and designate vulnerable resources or assets based on their exposure and susceptibility to a wildfire hazard. The department shall establish a method by which local governments may update the wildfire risk map based on local assessments and approved by the jurisdiction's fire marshal. The department shall make publicly available the criteria and analysis utilized in assessing the wildfire hazard and risk.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "Code;" strike the remainder of the title and insert "amending RCW 19.27.031, 19.27.074, 19.27.560, and 43.30.580; and declaring an emergency."

Senator Van De Wege spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 548 by Senator Van De Wege to Senate Bill No. 6120.

The motion by Senator Van De Wege carried and striking amendment no. 548 was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Engrossed Senate Bill No. 6120 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6120.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6120 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator McCune

ENGROSSED SENATE BILL NO. 6120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRTY FIRST DAY, FEBRUARY 7, 2024
SECOND READING

SENATE BILL NO. 6234, by Senators Wilson, L., Hasegawa, and Lovick

Screening newborn infants for branched-chain ketoacid dehydrogenase kinase deficiency.

The measure was read the second time.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Senate Bill No. 6234 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6234.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6234 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator McCune

SENATE BILL NO. 6234, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5825, by Senators Pedersen and Padden

Concerning guardianship and conservatorship.

MOTIONS

On motion of Senator Pedersen, Second Substitute Senate Bill No. 5825 was substituted for Senate Bill No. 5825 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5825, by Senate Committee on Ways & Means (originally sponsored by Pedersen, and Padden)

On motion of Senator Pedersen, the rules were suspended, Second Substitute Senate Bill No. 5825 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5825.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5825 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator McCune

SECOND SUBSTITUTE SENATE BILL NO. 5825, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5925, by Senators Torres, Lovelett, Short, and Van De Wege

Concerning fire protection district commissioner per diem compensation.

MOTIONS

On motion of Senator Torres, Substitute Senate Bill No. 5925 was substituted for Senate Bill No. 5925 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5925, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Torres, Lovelett, Short, and Van De Wege)

On motion of Senator Torres, the rules were suspended, Substitute Senate Bill No. 5925 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5925.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5925 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator McCune

SUBSTITUTE SENATE BILL NO. 5925, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6006, by Senators Dhingra, Wagoner, Braun, Conway, Frame, Hasegawa, Keiser, Kuderer, Liias, McCune, Nguyen, Nobles, Salomon, Stanford, Torres, Valdez, and Wilson, C.

Supporting victims of human trafficking and sexual abuse.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 6006 was substituted for Senate Bill No. 6006 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6006, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner, Braun, Conway, Frame, Hasegawa, Keiser, Kuderer, Liias, McCune, Nguyen, Nobles, Salomon, Stanford, Torres, Valdez, and Wilson, C.)

Senator Fortunato moved that the following amendment no. 571 by Senator Fortunato be adopted:

On page 13, after line 25, insert the following:

"(h) Professional school personnel have a duty to warn the department or law enforcement when they have reasonable cause to believe that a child is at imminent risk of being abused or neglected."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 571 by Senator Fortunato on page 13, after line 25 to Second Substitute Senate Bill No. 6006.

The motion by Senator Fortunato did not carry and amendment no. 571 was not adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Second Substitute Senate Bill No. 6006 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6006.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6006 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King,

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

Excused: Senator McCune

SECOND SUBSTITUTE SENATE BILL NO. 6006, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6056, by Senators Torres, Wilson, C., and Wilson, L.

Training requirements for human trafficking.

MOTIONS

On motion of Senator Torres, Substitute Senate Bill No. 6056 was substituted for Senate Bill No. 6056 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Torres, the rules were suspended, Substitute Senate Bill No. 6056 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6056.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6056 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator McCune

SUBSTITUTE SENATE BILL NO. 6056, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5811, by Senators Kauffman, Wilson, C., Cleveland, Dhingra, Frame, Hasegawa, Keiser, Liias, Lovelett, Nguyen, Nobles, Shewmake, Trudeau, and Wellman

Expanding the definition of family member for individual providers.

The measure was read the second time.

MOTION

THIRTY FIRST DAY, FEBRUARY 7, 2024

On motion of Senator Kauffman, the rules were suspended, Senate Bill No. 5811 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kauffman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5811.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5811 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

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

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

Excused: Senator McCune

SENATE BILL NO. 5811, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5427, by Senators Valdez, Billig, Cleveland, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Saldaña, Salomon, Stanford, and Wilson, C.

Concerning people who have been targeted or affected by hate crimes and bias incidents.

MOTIONS

On motion of Senator Valdez, Substitute Senate Bill No. 5427 was substituted for Senate Bill No. 5427 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5427, by Committee on Ways & Means (originally sponsored by Senators Valdez, Billig, Cleveland, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Saldaña, Salomon, Stanford, and C. Wilson)

Revised for substitute: Supporting people who have been targeted or affected by hate crimes and bias incidents by establishing a reporting hotline and tracking hate crimes and bias incidents.

On motion of Senator Valdez, the rules were suspended, Substitute Senate Bill No. 5427 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5427.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5427 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

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

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

Excused: Senator McCune

SUBSTITUTE SENATE BILL NO. 5427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6157, by Senators Lovick, Hasegawa, Hunt, Kuderer, Saldaña, Salomon, Torres, Trudeau, Valdez, and Wilson, C.

Reforming civil service to permit deferred action for childhood arrivals recipients to apply for civil service and incorporate civil service advantage for bilingual and multilingual applicants, applicants with higher education, and applicants with prior work experience in social services.

MOTIONS

On motion of Senator Lovick, Substitute Senate Bill No. 6157 was substituted for Senate Bill No. 6157 and the substitute bill was placed on the second reading and read the second time.

Senator Fortunato moved that the following amendment no. 562 by Senator Fortunato be adopted:

On page 9, after line 18, insert the following:

"**NEW SECTION. Sec. 10.** (1) Because peace officers are required by their agencies to maintain firearm proficiency of a certain level, and the policies for peace officer firearm practice vary significantly between agencies, the criminal justice training commission shall conduct a study of the feasibility, legality, and increased cost of arming deferred action for childhood arrival recipients as police officers. The study shall include, at a minimum:

(a) How federal law permits and restricts deferred action for childhood arrival recipients being armed as police officers or officers with the department of corrections, including during off-duty hours;

(b) An examination of a broad sample of law enforcement agency and department of corrections policies on firearms, firearm training, and firearm proficiency standards to identify variations in standards and disparate impacts on the training and practice to maintain firearm proficiency of deferred action for childhood arrival status officers, including potential disadvantage due to limited range-time for weapons proficiency and any

increased costs associated with adjusting agency policy to incorporate officers with deferred action for childhood arrival status backgrounds, such as costs for additional range safety officers;

(c) Any associated risk of loss of federal or state firearm-related licensure for the range owner or operator created by deferred action for childhood arrival status peace officer purchasing ammunition from that owner or operator;

(d) Whether deferred action for childhood arrival status officers are authorized to participate in sport shooting events to increase firearm proficiency; and

(e) Evaluation of how arming deferred action for childhood arrival status recipients as officers will impact the policies, procedures, and budgets of affected agencies, including: (i) Any restrictions to being armed outside of work hours; (ii) whether firearm proficiency training may be scheduled during paid duty hours; and (iii) whether additional range safety officers, supervisors, or other agency employees must be hired or additional materials purchased in order to manage the required firearm proficiency training required by any new policies.

(2) The criminal justice training commission shall report its findings to the appropriate committees of the legislature by December 31, 2024.

NEW SECTION. Sec. 11. Sections 1 through 9 of this act take effect July 1, 2025."

On page 1, line 7 of the title, after "RCW;" strike "and"

On page 1, line 8 of the title, after "RCW" insert "; creating a new section; and providing an effective date"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Lovick spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 562 by Senator Fortunato on page 9, after line 18 to Substitute Senate Bill No. 6157.

The motion by Senator Fortunato did not carry and amendment no. 562 was not adopted by voice vote.

On motion of Senator Lovick, the rules were suspended, Substitute Senate Bill No. 6157 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovick spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senator Wellman was excused.

Senator Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6157.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6157 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

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

Voting nay: Senator Wagoner

Excused: Senators McCune and Wellman

SUBSTITUTE SENATE BILL NO. 6157, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5920, by Senators Padden, Fortunato, Keiser, Warnick, and Wilson, L.

Lifting certificate of need requirements for psychiatric hospitals and beds.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5920 was substituted for Senate Bill No. 5920 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5920, by Senate Committee on Health & Long-Term Care (originally sponsored by Padden, Fortunato, Keiser, Warnick, and Wilson, L.)

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5920 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5920.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5920 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators McCune and Wellman

SUBSTITUTE SENATE BILL NO. 5920, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Pedersen announced a meeting of the Committee on Rules at 7 o'clock p.m. following adjournment of the day's session.

MOTION

THIRTY FIRST DAY, FEBRUARY 7, 2024

At 6:38 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Thursday, February 8, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, February 8, 2024

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Cecilia Devine and Miss Maya Alm, presented the Colors.

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

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

MOTIONS

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

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

MESSAGE FROM THE HOUSE

February 7, 2024

MR. PRESIDENT:

The House has passed:

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

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 7, 2024

MR. PRESIDENT:

The House has passed:

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

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 7, 2024

MR. PRESIDENT:

The House has passed:

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

MELISSA PALMER, Deputy Chief Clerk

February 6, 2024

MR. PRESIDENT:

The House has passed:

SECOND ENGROSSED SUBSTITUTE
HOUSE BILL NO. 1377,

SECOND ENGROSSED SUBSTITUTE

HOUSE BILL NO. 1508,

SECOND ENGROSSED SECOND SUBSTITUTE

HOUSE BILL NO. 1541,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

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

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

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

2ESHB 1377 by House Committee on Education (originally sponsored by Representatives Santos, Reed and Ortiz-Self)

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

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

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

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

Referred to Committee on Health & Long-Term Care.

2E2SHB 1541 by House Committee on Appropriations (originally sponsored by Representatives Farivar, Couture, Mena, Pollet, Taylor, Ortiz-Self, Street, Thai, Reed, Waters, Fosse, Caldier, Simmons, Davis, Alvarado, Schmidt, Ryu, Griffey, Ramel, Barnard, Orwall, Hackney, Bergquist, Walen, Berry, Tharinger, Peterson, Goodman, Volz, Eslick, Stonier, Gregerson, Riccelli, Ormsby, Kloba, Doglio, Bateman, Macri and Duerr)

AN ACT Relating to increasing access and representation in policy-making processes for people with direct lived

THIRTY SECOND DAY, FEBRUARY 8, 2024

experience; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Elections.

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

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

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

Referred to Committee on Law & Justice.

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

Referred to Committee on Housing.

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

Referred to Committee on Law & Justice.

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

Referred to Committee on Environment, Energy & Technology.

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

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

Referred to Committee on State Government & Elections.

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

Referred to Committee on Health & Long-Term Care.

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

Referred to Committee on Ways & Means.

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

Referred to Committee on Labor & Commerce.

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

Referred to Committee on Law & Justice.

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

Referred to Committee on State Government & Elections.

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

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

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

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

Referred to Committee on Labor & Commerce.

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

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

Referred to Committee on Labor & Commerce.

MOTIONS

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

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

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

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

SENATE RESOLUTION
8668

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

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

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

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

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

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

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

WHEREAS, Jeannie Darneille has also served with distinction as the Assistant Secretary of the Women's Division at the Department of Corrections, where she contributed to the integration of gender responsive care in pursuit of safety and rehabilitation; and

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

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

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

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Jeannie Darneille as a token of the immense respect and appreciation this legislative body holds for her.

Senators Wilson, C., Conway, Lovelett, Wellman, Keiser, Trudeau, Braun, Billig, Warnick and Hasegawa spoke in favor of adoption of the resolution.

MOTION

On motion of Senator Nobles, Senators Hunt, Liias, Saldaña and Trudeau were excused.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8668.

The motion by Senator Wilson, C. carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students of the Living Hope Homeschool Co-op who were seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Braun moved that Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9171, be confirmed as a member of the Centralia College Board of Trustees.

Senator Braun spoke in favor of the motion.

MOTION

On motion of Senator Wagoner, Senator Dozier was excused.

APPOINTMENT OF MARK C. SCHEIBMEIR

The President declared the question before the Senate to be the confirmation of Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9171, as a member of the Centralia College Board of Trustees.

THIRTY SECOND DAY, FEBRUARY 8, 2024

The Secretary called the roll on the confirmation of Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9171, as a member of the Centralia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and Saldaña

Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9171, having received the constitutional majority was declared confirmed as a member of the Centralia College Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hansen moved that Cheryl A. Miller, Senate Gubernatorial Appointment No. 9181, be confirmed as a member of the Olympic College Board of Trustees.

Senator Hansen spoke in favor of the motion.

APPOINTMENT OF CHERYL A. MILLER

The President declared the question before the Senate to be the confirmation of Cheryl A. Miller, Senate Gubernatorial Appointment No. 9181, as a member of the Olympic College Board of Trustees.

The Secretary called the roll on the confirmation of Cheryl A. Miller, Senate Gubernatorial Appointment No. 9181, as a member of the Olympic College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and Saldaña

Cheryl A. Miller, Senate Gubernatorial Appointment No. 9181, having received the constitutional majority was declared confirmed as a member of the Olympic College Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Warnick moved that Gary Chandler, Senate Gubernatorial Appointment No. 9201, be confirmed as a member of the Workforce Training and Coordinating Board.

Senator Warnick spoke in favor of the motion.

APPOINTMENT OF GARY CHANDLER

The President declared the question before the Senate to be the confirmation of Gary Chandler, Senate Gubernatorial Appointment No. 9201, as a member of the Workforce Training and Coordinating Board.

The Secretary called the roll on the confirmation of Gary Chandler, Senate Gubernatorial Appointment No. 9201, as a member of the Workforce Training and Coordinating Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and Saldaña

Gary Chandler, Senate Gubernatorial Appointment No. 9201, having received the constitutional majority was declared confirmed as a member of the Workforce Training and Coordinating Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Stanford moved that Angela Hinojos, Senate Gubernatorial Appointment No. 9245, be confirmed as a member of the Cascadia College Board of Trustees.

Senator Stanford spoke in favor of the motion.

APPOINTMENT OF ANGELA HINOJOS

The President declared the question before the Senate to be the confirmation of Angela Hinojos, Senate Gubernatorial Appointment No. 9245, as a member of the Cascadia College Board of Trustees.

The Secretary called the roll on the confirmation of Angela Hinojos, Senate Gubernatorial Appointment No. 9245, as a member of the Cascadia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and Saldaña

Angela Hinojos, Senate Gubernatorial Appointment No. 9245, having received the constitutional majority was declared confirmed as a member of the Cascadia College Board of Trustees.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5306, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Short, Van De Wege, Nobles, and Stanford)

Authorizing the department of fish and wildlife to establish disease interdiction and control check stations.

The bill was read on Third Reading.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5306.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5306 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and Saldaña

SUBSTITUTE SENATE BILL NO. 5306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5852, by Senators Braun, Mullet, Short, Torres, and Wilson, L.

Concerning special education safety net awards.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5852 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5852.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5852 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and Saldaña

SENATE BILL NO. 5852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5885, by Senator Torres

Concerning procedures for certificates of annexation submitted to the office of financial management.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, Senate Bill No. 5885 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5885.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5885 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and Saldaña

SENATE BILL NO. 5885, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5897, by Senator Mullet and Wilson, L.

Modifying provisions of the business licensing service program.

The measure was read the second time.

MOTION

THIRTY SECOND DAY, FEBRUARY 8, 2024

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 5897 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5897.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5897 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and Saldaña

SENATE BILL NO. 5897, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Hazelwood Elementary School, Newcastle who were seated in the gallery. The students were guests of Senator Wellman.

SECOND READING

SENATE BILL NO. 6080, by Senators Boehnke, Dozier, Mullet, and Shewmake

Simplifying the funding provisions of the statewide tourism marketing account.

The measure was read the second time.

MOTION

On motion of Senator Boehnke, the rules were suspended, Senate Bill No. 6080 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6080.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6080 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford,

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SENATE BILL NO. 6080, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6197, by Senators Holy, Conway, Van De Wege, Fortunato, Hasegawa, Kuderer, Mullet, Nobles, and Valdez

Concerning the law enforcement officers' and firefighters' retirement system plan 2.

MOTIONS

On motion of Senator Holy, Substitute Senate Bill No. 6197 was substituted for Senate Bill No. 6197 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6197, by Senate Committee on Ways & Means (originally sponsored by Holy, Conway, Van De Wege, Fortunato, Hasegawa, Kuderer, Mullet, Nobles, and Valdez)

On motion of Senator Holy, the rules were suspended, Substitute Senate Bill No. 6197 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Robinson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6197.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6197 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6197, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6283, by Senators Nobles, Billig, Shewmake, Holy, King, Liias, Lovick, Wilson, C., Wilson, J., Valdez, Kauffman, Hawkins, Lovelett, Padden, Fortunato, Cleveland, Trudeau, Frame, Hasegawa, Kuderer, Saldaña, and Stanford

Eliminating the expiration date for the Sandy Williams connecting communities program.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 6283 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6283.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6283 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SENATE BILL NO. 6283, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Hazelwood Elementary School, Newcastle who were seated in the gallery. The students were guests of Senator Wellman.

SECOND READING

SENATE BILL NO. 6301, by Senators Lovick, Dhingra, Boehnke, Hunt, Kuderer, Lovelett, MacEwen, Mullet, Padden, Shewmake, Warnick, and Wilson, J.

Concerning basic law enforcement academy.

MOTIONS

On motion of Senator Lovick, Substitute Senate Bill No. 6301 was substituted for Senate Bill No. 6301 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6301, by Senate Committee on Ways & Means (originally sponsored by Lovick, Dhingra, Boehnke, Hunt, Kuderer, Lovelett, MacEwen, Mullet, Padden, Shewmake, Warnick, and Wilson, J.)

On motion of Senator Lovick, the rules were suspended, Substitute Senate Bill No. 6301 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6301.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6301 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6301, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6308, by Senators Dhingra, Robinson, Kuderer, Nobles, and Trudeau

Extending timelines for implementation of the 988 system.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 6308 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6308.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6308 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SENATE BILL NO. 6308, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

THIRTY SECOND DAY, FEBRUARY 8, 2024

SENATE BILL NO. 5973, by Senators Liias, Nguyen, Kuderer, Mullet, Nobles, Shewmake, and Valdez

Concerning heat pumps in common interest communities.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5973 was substituted for Senate Bill No. 5973 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5973, by Senate Committee on Law & Justice (originally sponsored by Liias, Nguyen, Kuderer, Mullet, Nobles, Shewmake, and Valdez)

Senator Liias moved that the following amendment no. 541 by Senator Liias be adopted:

On page 10, line 27, after "1," strike "2026" and insert "2028"

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 541 by Senator Liias on page 10, line 27 to Substitute Senate Bill No. 5973.

The motion by Senator Liias carried and amendment no. 541 was adopted by voice vote.

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5973 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5973.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5973 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

ENGROSSED SUBSTITUTE SENATE BILL NO. 5973, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Hazelwood Elementary School, Newcastle who were seated in the gallery. The students were guests of Senator Wellman.

SECOND READING

SENATE BILL NO. 5986, by Senators Cleveland, Muzzall, Hasegawa, Kuderer, Mullet, Nobles, Randall, Salomon, Valdez, and Wellman

Protecting consumers from out-of-network health care services charges.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5986 was substituted for Senate Bill No. 5986 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5986, by Senate Committee on Ways & Means (originally sponsored by Cleveland, Muzzall, Hasegawa, Kuderer, Mullet, Nobles, Randall, Salomon, Valdez, and Wellman)

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5986 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5986.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5986 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 5986, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5882, by Senators Stanford, Wellman, Hunt, Pedersen, Wilson, C., Conway, Hasegawa, Kuderer, Nobles, Salomon, Shewmake, Valdez, and Van De Wege

Increasing prototypical school staffing to better meet student needs.

MOTIONS

On motion of Senator Stanford, Second Substitute Senate Bill No. 5882 was substituted for Senate Bill No. 5882 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5882, by Senate Committee on Ways & Means (originally sponsored by Stanford, Wellman, Hunt, Pedersen, Wilson, C., Conway, Hasegawa, Kuderer, Nobles, Salomon, Shewmake, Valdez, and Van De Wege)

On motion of Senator Stanford, the rules were suspended, Second Substitute Senate Bill No. 5882 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford, Wellman and Rivers spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5882.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5882 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Dozier, Fortunato, Hawkins, MacEwen, McCune, Schoesler, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SECOND SUBSTITUTE SENATE BILL NO. 5882, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6020, by Senators Muzzall, Braun, and Lovelett

Establishing a Puget Sound nonspot shrimp pot fishery license.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 6020 was substituted for Senate Bill No. 6020 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6020, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Muzzall, Braun, and Lovelett)

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 6020 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6020.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6020 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6020, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5818, by Senators Van De Wege, Mullet, Nguyen, Salomon, Lias, Randall, Hasegawa, Kauffman, Dhingra, Stanford, Nobles, and Saldaña

Authorizing an exemption to the seashore conservation area for a qualified infrastructure project.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 5818 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Van De Wege spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5818.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5818 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Boehnke

Excused: Senator Saldaña

SENATE BILL NO. 5818, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6148, by Senators Rivers, Braun, Dozier, Frame, Hasegawa, and Wilson, C.

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Establishing maternal and perinatal quality of care metrics for Washingtonians on medicaid.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 6148 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6148.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6148 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SENATE BILL NO. 6148, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:16 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 3:14 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 6098, by Senators Robinson and Nguyen

Concerning accounts.

The measure was read the second time.

MOTION

Senator Robinson moved that the following amendment no. 577 by Senator Mullet be adopted:

On page 6, after line 13, insert the following:
"NEW SECTION. Sec. 5. A new section is added to chapter 43.79 RCW to read as follows:

The inflation reduction elective pay account is created in the state treasury. All receipts from elective pay provided under P.L. 117-169 (inflation reduction act of 2022) must be deposited into the account. Moneys in the account may be spent only after appropriation."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 3 of the title, after "RCW;" insert "adding a new section to chapter 43.79 RCW;"

Senators Robinson and Wilson, L. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 577 by Senator Mullet on page 6, after line 13 to Senate Bill No. 6098.

The motion by Senator Robinson carried and amendment no. 577 was adopted by voice vote.

MOTION

Senator Robinson moved that the following amendment no. 588 by Senator Liias be adopted:

On page 6, after line 25, insert the following:

"Sec. 6. RCW 70A.535.160 and 2023 c 431 s 14 are each amended to read as follows:

The clean fuels transportation investment account is created in the state treasury. All receipts to the state from clean fuel credits generated under this chapter from transportation investments funded in an omnibus transportation appropriations act, including those listed under RCW 70A.535.050(3), must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used for activities and projects that reduce greenhouse gas emissions and decarbonize the transportation sector."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 13, line 4, after "account," insert "the clean fuels transportation investment account."

On page 16, line 40, after "account," insert "the clean fuels transportation investment account."

On page 1, beginning on line 1 of the title, after "82.45.240" strike "and 27.34.400" and insert ", 27.34.400, and 70A.535.160"

Senators Robinson and Wilson, L. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 588 by Senator Liias on page 6, after line 25 to Senate Bill No. 6098.

The motion by Senator Robinson carried and amendment no. 588 was adopted by voice vote.

MOTION

Senator Robinson moved that the following amendment no. 615 by Senator Robinson be adopted:

On page 6, after line 25, insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 74.09 RCW to read as follows:

The primary care workforce development account is created in the state treasury. All receipts from funding available for the family medicine residency network pursuant to RCW 74.60.090 and 70.112.060 and any other funds collected for the medicaid direct payment program established in chapter . . . , Laws of 2024

(the omnibus operating appropriations act) must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only to supplement primary care graduate medical education."

Reumber the remaining sections consecutively and correct any internal references accordingly.

On page 8, line 34, after "revolving account," insert "the primary care workforce development account."

On page 11, line 17, after "revolving account," insert "the primary care workforce development account."

On page 1, line 4 of the title, after "RCW;" insert "adding a new section to chapter 74.09 RCW;"

Senators Robinson and Wilson, L. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 615 by Senator Robinson on page 6, after line 25 to Senate Bill No. 6098.

The motion by Senator Robinson carried and amendment no. 615 was adopted by voice vote.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Senate Bill No. 6098 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Wilson, L. spoke in favor of passage of the bill.

MOTIONS

On motion of Senator Wagoner, Senators Boehnke and Schoesler were excused.

On motion of Senator Wilson, C., Senator Saldaña was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6098.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6098 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 6098, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5784, by Senators Van De Wege, Muzzall, Mullet, Nobles, Wagoner, and Warnick

Concerning deer and elk damage to commercial crops.

On motion of Senator Van De Wege, Second Substitute Senate Bill No. 5784 was substituted for Senate Bill No. 5784 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5784, by Senate Committee on Ways & Means (originally sponsored by Van De Wege, Muzzall, Mullet, Nobles, Wagoner, and Warnick)

On motion of Senator Van De Wege, the rules were suspended, Second Substitute Senate Bill No. 5784 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5784.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5784 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Hasegawa, Kauffman and Trudeau

SECOND SUBSTITUTE SENATE BILL NO. 5784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5953, by Senators Wilson, C., Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles, Salomon, Trudeau, and Valdez

Concerning financial aid grants for incarcerated students.

MOTIONS

On motion of Senator Wilson, C., Substitute Senate Bill No. 5953 was substituted for Senate Bill No. 5953 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5953, by Senate Committee on Human Services (originally sponsored by Wilson, C., Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles, Salomon, Trudeau, and Valdez)

On motion of Senator Wilson, C., the rules were suspended, Substitute Senate Bill No. 5953 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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Senators Wilson, C., Boehnke and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5953.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5953 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Fortunato, Frame, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Gildon, Hawkins, MacEwen, McCune, Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5953, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5838, by Senators Nguyen, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Muzzall, Nobles, Saldaña, Salomon, Stanford, Torres, Valdez, and Wellman

Establishing an artificial intelligence task force.

MOTIONS

On motion of Senator Nguyen, Second Substitute Senate Bill No. 5838 was substituted for Senate Bill No. 5838 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5838, by Senate Committee on Ways & Means (originally sponsored by Nguyen, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Muzzall, Nobles, Saldaña, Salomon, Stanford, Torres, Valdez, and Wellman)

Senator Nguyen moved that the following amendment no. 591 by Senator Nguyen be adopted:

On page 2, line 27, after "breakthroughs." insert "On January 30, 2024, Governor Inslee issued Executive Order 24-01 directing WaTech to identify generative artificial intelligence initiatives that could be implemented in state operations and issue guidelines for public sector procurement and usage."

On page 3, line 15, after "representing" strike "law enforcement" and insert "public safety"

On page 4, beginning on line 6, after "general" strike all material through "officer," on line 7

Senators Nguyen and Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 591 by Senator Nguyen on page 2, line 27 to Second Substitute Senate Bill No. 2838.

The motion by Senator Nguyen carried and amendment no. 591 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5838 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5838.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5838 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Hasegawa, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5838, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5802, by Senators Muzzall, Hasegawa, Lovelett, Nobles, Rivers, and Robinson

Providing flexibility in calculation of nursing rates.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 5802 was substituted for Senate Bill No. 5802 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5802, by Senate Committee on Ways & Means (originally sponsored by Muzzall, Hasegawa, Lovelett, Nobles, Rivers, and Robinson)

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 5802 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5802.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5802 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5802, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5241, by Senators Randall, Rolfes, Kuderer, Trudeau, Pedersen, Shewmake, Hunt, Saldaña, Kauffman, Valdez, Lovick, Robinson, Lovelett, Liias, Frame, Nguyen, Stanford, and Wilson, C.

Concerning material changes to the operations and governance structure of participants in the health care marketplace.

The measure was read the second time.

MOTION

Senator Randall moved that the following striking amendment no. 557 by Senator Randall be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares that:

(1) The existence of accessible and affordable health care services that are responsive to the needs of the community is an important public policy goal.

(2) The COVID-19 pandemic laid bare both the crucial importance of our health care systems and the inequities that exist and exacerbate harm to marginalized communities, including in access to and delivery of affordable, quality care.

(3) Health entity mergers, acquisitions, and contracting affiliations impact cost, quality, and access to health care, and affect working conditions and employee benefits.

(4) Health entity mergers, acquisitions, and contracting affiliations have been shown to result in anticompetitive consequences, including higher prices and a lack of any meaningful choice among health care providers within a community or geographic region. These negative outcomes are exacerbated for those in rural areas with few health care providers.

(5) The legislature is committed to ensuring that Washingtonians have access to the full range of reproductive, end-of-life, and gender affirming health care services. Yet, Washingtonians continue to experience difficulty accessing gender affirming care, and health entity mergers and acquisitions in Washington state have resulted in material reductions in

reproductive and end-of-life health care services, to the detriment of communities and patients.

(6) Health entity mergers, acquisitions, and contracting affiliations must improve rather than harm access to affordable quality health care.

Sec. 2. RCW 19.390.010 and 2019 c 267 s 1 are each amended to read as follows:

(1) It is the intent of the legislature to ensure that competition beneficial to consumers in health care markets across Washington remains vigorous and robust and that health care be affordable and accessible. The legislature supports ((that intent)) these intents through this chapter, which provides the attorney general with notice of all material health care transactions in this state so that the attorney general has the information necessary to determine whether an investigation under the consumer protection act is warranted for potential anticompetitive conduct and consumer harm. This chapter is intended to supplement the federal Hart-Scott-Rodino antitrust improvements act, Title 15 U.S.C. Sec. 18a, by requiring notice of transactions not reportable under Hart-Scott-Rodino reporting thresholds and by providing the attorney general with a copy of any filings made pursuant to the Hart-Scott-Rodino act. In addition to ensuring vigorous and robust competition in health care markets, this chapter is also intended to ensure material change transactions result in the affected communities having the same or greater access to quality, affordable care, including emergency care, primary care, reproductive care, end-of-life care including services provided in accordance with chapter 70.245 RCW, and gender affirming care.

(2) Notwithstanding the language in this chapter regarding the attorney general's authority to determine the effect of a material change transaction on access to care, nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

Sec. 3. RCW 19.390.020 and 2019 c 267 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Acquisition" means an agreement, arrangement, or activity the consummation of which results in a person acquiring directly or indirectly the control of another person, and includes the acquisition of voting securities and noncorporate interests, such as assets, capital stock, membership interests, or equity interests.

(2) "Affiliate" means a person that directly, or indirectly through one or more intermediaries, controls or has ownership of, is controlled or owned by, or is under common control or ownership of a person. A provider organization that is not otherwise affiliated with a hospital or hospital system is not considered an affiliate of a hospital or hospital system solely on the basis that it contracts with the hospital or hospital system to provide facility-based services including, but not limited to, emergency, anesthesiology, pathology, radiology, or hospital services.

(3) "Carrier" means the same as in RCW 48.43.005.

~~((3))~~ (4) "Contracting affiliation" means the formation of a relationship between two or more entities that permits the entities to negotiate jointly with carriers or third-party administrators over rates for professional medical services, or for one entity to negotiate on behalf of the other entity with carriers or third-party administrators over rates for professional medical services. "Contracting affiliation" does not include arrangements among entities under common ownership or arrangements where at least

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one entity in the arrangement is owned or operated by a state entity.

~~((4))~~ (5) "Gender affirming care" means a service or product that a health care provider, as defined in RCW 70.02.010, prescribes to an individual to treat any condition related to the individual's gender identity and is prescribed in accordance with generally accepted standards of care. Gender affirming care must be covered in a manner compliant with the federal mental health parity and addiction equity act of 2008 and the federal patient protection and affordable care act of 2010. Gender affirming care can be prescribed to two spirit, transgender, nonbinary, intersex, and other gender diverse individuals.

(6) "Health care services" means medical, surgical, chiropractic, hospital, optometric, podiatric, pharmaceutical, ambulance, mental health, substance use disorder, therapeutic, preventative, diagnostic, curative, rehabilitative, palliative, custodial, and any other services relating to the prevention, cure, or treatment of illness, injury, or disease. Health care services may be provided virtually, on-demand, or in brick and mortar settings.

~~((5))~~ (7) "Health care services revenue" means the total revenue received for health care services in the previous ~~((twelve))~~ 12 months.

~~((6))~~ (8) "Health maintenance organization" means an organization receiving a certificate of registration pursuant to chapter 48.46 RCW which provides comprehensive health care services to enrolled participants of such organization on a group practice per capita prepayment basis or on a prepaid individual practice plan, except for an enrolled participant's responsibility for copayments and deductibles, either directly or through contractual or other arrangements with other institutions, entities, or persons, and which qualifies as a health maintenance organization pursuant to RCW 48.46.030 and 48.46.040.

~~((7))~~ (9) "Hospital" means a facility licensed under chapter 70.41 or 71.12 RCW.

~~((8))~~ (10) "Hospital system" means:

(a) A parent corporation of one or more hospitals and any entity affiliated with such parent corporation ~~((through ownership or control));~~ or

(b) A hospital and any entity affiliated with such hospital ~~((through ownership)).~~

~~((9))~~ (11) "Merger" means a consolidation of two or more organizations, including two or more organizations joining through a common parent organization or two or more organizations forming a new organization, but does not include a corporate reorganization.

~~((10))~~ (12) "Person" means, where applicable, natural persons, corporations, trusts, and partnerships.

~~((11))~~ (13) "Provider" means a natural person who practices a profession identified in RCW 18.130.040.

~~((12))~~ (14) "Provider organization" means a corporation, partnership, business trust, association, or organized group of persons, whether incorporated or not, which is in the business of health care delivery or management and that represents seven or more health care providers in contracting with carriers or third-party administrators for the payments of health care services. A "provider organization" includes physician organizations, physician-hospital organizations, independent practice associations, provider networks, and accountable care organizations.

~~((13))~~ (15) "Reproductive health care" means any medical services or treatments, including pharmaceutical and preventive care services or treatments, directly involved in the reproductive system and its processes, functions, and organs involved in reproduction, in all stages of life.

(16) "Successor persons" means persons formed by, resulting from, or surviving any material change transaction under this chapter.

(17) "Third-party administrator" means an entity that administers payments for health care services on behalf of a client in exchange for an administrative fee.

Sec. 4. RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ~~((sixty))~~ 120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ~~((section))~~ chapter, a material change transaction includes a merger, acquisition, or contracting affiliation between two or more entities of the following types:

- (a) Hospitals;
- (b) Hospital systems; or
- (c) Provider organizations.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between Washington entities, as well as between a Washington entity and an out-of-state entity where the out-of-state entity or any of its affiliates generate~~((s ten million dollars))~~ \$10,000,000 or more in health care services revenue from patients residing in Washington state, and the entities are of the types identified in subsection (2) of this section. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more hospitals, hospital systems, or provider organizations only qualifies as a material change transaction if the hospitals, hospital systems, or provider organizations did not previously have common ownership or a contracting affiliation.

Sec. 5. RCW 19.390.040 and 2019 c 267 s 4 are each amended to read as follows:

(1) ~~((The))~~ For material change transactions where none of the parties are hospitals or hospital systems or an affiliate of a hospital or hospital system and none of the parties or an affiliate of a party have generated \$10,000,000 or more in health care services revenue from patients residing in Washington state in any of their preceding three fiscal years, the written notice provided by the parties, as required by RCW 19.390.030, must include:

- (a) The names of the parties and their current business addresses;
- (b) Identification of all locations where health care services are currently provided by each party and its affiliates;
- (c) A brief description of the nature and purpose of the proposed material change transaction; and
- (d) The anticipated effective date of the proposed material change transaction.

(2) For material change transactions where none of the parties are hospitals or hospital systems or an affiliate of a hospital or hospital system and all of the parties serve predominantly low-income, medically underserved individuals, and all of the parties had for each of their preceding three fiscal years at least 50 percent of their total patient revenue come from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals, and the material change transaction would not result in materially lowering the overall level of care the successor persons' provide to individuals on medicaid or who are uninsured or underinsured, or cause, for the successor persons, the percentage of total patient revenue that comes from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals to drop below 50 percent, the written

notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The information and documentation required under subsection (1)(a) through (d) of this section; and

(b) Documentation demonstrating that all the parties to the material change transaction had for each of their preceding three fiscal years at least 50 percent of their total patient revenue come from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals, and a statement from the parties describing how the material change transaction will result in the successor persons complying with the requirements under this subsection.

(3) For all material change transactions other than those specified under subsections (1) and (2) of this section, the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The information and documentation required under subsection (1)(a) through (d) of this section;

(b) A copy of the material change transaction agreement;

(c) If applicable, a statement from each of the parties' board of directors that explains the effect the material change transaction will likely have on delivery and cost of health-related services to the communities impacted by the material change transaction, and the basis for this opinion;

(d) If applicable, a copy of the two most recent community needs assessments or any similar evaluations or assessments prepared by or for any of the hospitals, hospital systems, or provider organizations that are the subject of the material change transaction;

(e) A description of all charity care provided in the last three years, as well as denials, and the projected charity care for three years following the material change transaction by the parties to the material change transaction, or any successor persons. This description must include:

(i) Annual total charity care spending;

(ii) Inpatient, outpatient, and emergency room charity care spending;

(iii) A description of how the amount of charity care spending was calculated;

(iv) Annual charity care inpatient discharges, outpatient visits, and emergency visits;

(v) A description of the types of charity care services provided annually;

(vi) The number of charity care denials and reasons for denial; and

(vii) A description of the policies, procedures, and eligibility requirements for the provision of charity care;

(f) A description of the health care services currently provided at each hospital, hospital system, or provider organization that is the subject of the material change transaction;

(g) A description of all services provided in the past five years by each hospital, hospital system, and provider organization that is the subject of the material change transaction to apple health patients, qualified health plan patients, and indigent patients. This description must include, but is not limited to, the type and volume of services provided, the payors for the services provided, the demographic characteristics of and zip code data for the patients served by the hospital, hospital system, or provider organization, and the costs and revenues for the services provided;

(h) All policies, procedures, and other training materials related to registration, admission, and collections, including upfront, point-of-service, and postservice billing and collections;

(i) The following current policies for any hospital and, to the extent they exist, the following current policies for any provider

organization that is the subject of the material change transaction: (i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) the reproductive health care services form as required under RCW 70.41.520;

(j) The following proposed policies that will apply after the material change transaction for any hospital or provider organization that is the subject of the material change transaction: (i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) for hospitals, the reproductive health care services form as required under RCW 70.41.520;

(k) To the extent they exist, any policies concerning the information and referrals medical providers are required to provide or are restricted from providing to patients regarding end-of-life care, including services provided in accordance with chapter 70.245 RCW;

(l) If the material change transaction will have any impact on reproductive health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of reproductive health care services in Washington state, a description of the reproductive health care services provided in the last five years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available reproductive health care services. This description must include the types and levels of reproductive services provided in the last five years and those proposed to be provided after the material change transaction, including, but not limited to, information about contraception provision, pregnancy terminations, tubal ligations, and fertility treatments provided, and a description of how this information was compiled;

(m) If the material change transaction will have any impact on end-of-life health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, including services provided in accordance with chapter 70.245 RCW, or any impact on the availability or accessibility of end-of-life health care services in Washington state, including services provided in accordance with chapter 70.245 RCW, a description of the end-of-life health care services provided in the last five years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available end-of-life care services. This description must include the types and levels of end-of-life services provided in the last five years and those proposed to be provided after the material change transaction including, but not limited to, information about the number of occasions in which doctors served as consulting or attending physicians at the hospital, hospital system, or provider organization under chapter 70.245 RCW, a description of the end-of-life health care services expected to be available at the hospitals, hospital systems, or provider organizations that are the subject of the material change transaction, and a description of how this information was compiled;

(n) If the material change transaction will have any impact on gender affirming health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of gender affirming health care services in Washington state, a description of all gender affirming health care services provided in the last five years by each hospital, hospital system, or provider organization that is the subject of the material

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change transaction and a description of the effect the material change transaction will have on available gender affirming care. This description must include the types and levels of gender affirming health care provided in the last five years and those proposed to be provided after the material change transaction including, but not limited to, facial gender affirming care, body gender affirming care, and primary sex characteristics care, and a description of how this information was compiled;

(o) A description of any anticipated changes in health care services provided after the material change transaction by any hospital, hospital system, or provider organization that is the subject of the material change transaction. If anticipated alterations include a reduction, relocation, or elimination of a service, the following information should be included: (i) The need the population presently has for the service; (ii) how the need will be adequately met by the proposed alteration; and (iii) alternative arrangements designed to meet the identified need;

(p) A description of each measure proposed by the parties to mitigate or eliminate any potential adverse effect on the availability or accessibility of health care services to the affected communities that may result from the material change transaction;

(q) A description of any changes to sexual assault nurse examiner and forensic nurse examiner programs after the material change transaction at any hospital, hospital system, or provider organization that is the subject of the material change transaction and any measures proposed by the parties to mitigate or eliminate any potential adverse effects to these programs;

(r) A description of any community benefit program provided by any of the parties to the material change transaction during the past five years with an annual cost of at least \$10,000 and the annual cost of each program for the past five years;

(s) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a description of current policies and procedures on staffing for patient care areas; employee input on health quality and staffing issues; and employee wages, salaries, benefits, working conditions, and employment protections. This description must include a list of all existing staffing plans, policy and procedure manuals, employee handbooks, collective bargaining agreements, or similar employment-related documents;

(t) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, all existing documents setting forth any guarantees made by any entity that would be taking over operation or control of each hospital, hospital system, or provider organization relating to employee job security and retraining, or the continuation of current staffing levels and policies, employee wages, salaries, benefits, working conditions, and employment protections;

(u) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a statement as to whether, after the material change transaction, neutrality will be maintained through all communications and usage of funds regarding nonunion employees forming a union;

(v) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a statement as to whether any successor of the employer or union will be bound to any existing union certification and any existing collective bargaining agreement;

(w) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a description of current debt collection practices and a description of any anticipated changes to debt collection practices following the material change transaction;

(x) If applicable, a detailed statement and documents relating to the parties' plans for assuring the continuance of existing hospital privileges after the material change transaction;

(y) If applicable, a detailed statement and documents relating to the parties' plans for ensuring the maintenance of appropriate health science research and health care provider education after the material change transaction;

(z) A detailed statement and documents relating to the parties' plans for ensuring safeguards to avoid conflict of interest in patient referral after the material change transaction;

(aa) A detailed statement and documents relating to the parties' commitment and plans to provide health care to the disadvantaged, the uninsured, and the underinsured, and how benefits to promote improved health in the affected community will be provided after the material change transaction; and

(bb) A list of the primary languages spoken by patients at each hospital, hospital system, or provider organization that is the subject of the material change transaction.

(4)(a) In cases of an extraordinary emergency situation that threatens access to health care services and has the potential to immediately harm consumers, the attorney general may limit the information otherwise required by subsection (3) of this section for the sole purpose of expediting the review process.

(b) If the parties to a material change transaction seek expedited review under (a) of this subsection, the parties shall provide documentation to the attorney general's office demonstrating the existence of an extraordinary emergency situation including a complete statement of facts, circumstances, and conditions which demonstrate the extraordinary emergency situation.

(c) The attorney general shall respond within 10 days to advise the parties as to whether any information otherwise required by subsection (3) of this section may be waived.

(d) Nothing in this subsection alters the preliminary or comprehensive review and oversight required under RCW 19.390.050, 19.390.070, and 19.390.080 and sections 7, 9 through 18, and 20 through 22 of this act.

(e) Nothing in this subsection alters the information collection requirements in other sections of this chapter including the requirement of a public hearing under section 12 of this act.

(5) The attorney general shall charge an applicant fee sufficient to cover the costs of implementing this chapter. Fees for a specific material change transaction review must be set relative to whether the review is preliminary or comprehensive.

(6) The attorney general may request additional information that is necessary to implement the goals of this chapter.

(7) Nothing in this section prohibits the parties to a material change transaction from voluntarily providing additional information to the attorney general.

Sec. 6. RCW 19.390.050 and 2019 c 267 s 5 are each amended to read as follows:

~~((The))~~ For the purpose of conducting an investigation under chapter 19.86 RCW or federal antitrust laws, the attorney general shall make any requests for additional information from the parties under RCW 19.86.110 within ((thirty)) 30 days of the date notice is received under RCW 19.390.030 and 19.390.040. ((Nothing)) Regardless of whether the attorney general requests additional information from the parties, nothing in this section precludes the attorney general from conducting an investigation or enforcing any state or federal ((antitrust)) laws at a later date.

NEW SECTION. Sec. 7. (1) The attorney general shall determine if the notice required under RCW 19.390.030 and 19.390.040 is complete for the purposes of review. If the attorney general determines that a notice is incomplete, it shall notify the parties within 15 working days after the date the notice was

received stating the reasons for its determination of incompleteness.

(2) A completed notice shall be deemed received on the date when all the information required by RCW 19.390.040 has been submitted to the attorney general's office.

(3) For all material change transactions included under RCW 19.390.040(3), the attorney general shall, within five working days after receipt of a completed notice, include information about the notice on the attorney general's website and in a newspaper of general circulation in the county or counties where communities impacted by the material change transaction are located. In addition, the attorney general shall notify by first-class United States mail, email, or facsimile transmission, any person who has requested notice of the filing of such notices. The information must state that a notice has been received, state the names of the parties to the material change transaction, describe the contents of the written notice in clear and simple terms, and state the date and process by which a person may submit written comments about the notice to the attorney general's office.

(4) The attorney general is not required to make public any information submitted pursuant to its investigative authority under chapter 19.86 RCW, or any information or analysis associated with an investigation under chapter 19.86 RCW.

Sec. 8. RCW 19.390.080 and 2019 c 267 s 8 are each amended to read as follows:

Any person who fails to comply with ~~((any provision of this chapter)) RCW 19.390.030 or 19.390.040~~ is liable to the state for a civil penalty of ~~((not more than two hundred dollars per day for each day during which such person is in violation of this chapter)) up to 15 percent of the value of the material change transaction, in the discretion of the attorney general.~~

NEW SECTION. Sec. 9. (1) No material change transaction under this chapter may take place if it would detrimentally affect the continued existence of accessible, affordable health care in Washington state for at least 10 years after the transaction occurs. To this end the material change transaction must result in the affected communities having the same or greater access to quality, affordable care, including but not limited to emergency care, primary care, reproductive health care, gender affirming care, and end-of-life care including services provided in accordance with chapter 70.245 RCW.

(2) The material change transaction must also result in:

(a) Reducing the growth in patient and health plan sponsor costs;

(b) Increasing access to services in medically underserved areas;

(c) Rectifying historical and contemporary factors contributing to a lack of health equities or access to services; or

(d) Improving health outcomes for residents of this state.

(3) The material change transaction must not result in the revocation of hospital privileges and must establish sufficient safeguards to maintain appropriate capacity for health provider education.

(4) The material change transaction must not result in a reduction in staffing capacity for the provision of medically necessary services to the extent such reductions would diminish patients' access to quality care.

(5) In determining whether a material change transaction fulfills the requirements of subsections (1) through (4) of this section, the attorney general shall take into consideration whether the material change transaction is necessary to maintain the solvency of an entity involved in the transaction. However, the attorney general may not determine that a material change transaction is necessary to maintain the solvency of an entity without first having an independent contractor prepare a financial

assessment of the entity. Such assessment must include possible alternatives to the material change transaction, and the likely impact of those alternatives, if implemented, on the entity's solvency.

(6) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. Sec. 10. (1) For all material change transactions included under RCW 19.390.040(3), the attorney general shall conduct a preliminary review of the completed notice to determine if the material change transaction will fulfill the requirements under section 9 of this act. The review must include, but is not limited to, an analysis of the information and documentation provided under RCW 19.390.040 and one public hearing.

(2) After conducting the preliminary review, if the attorney general determines that the material change transaction is likely to fulfill the requirements under section 9 of this act, the attorney general may not conduct a comprehensive review of the material change transaction as provided under sections 11, 13, and 14 of this act.

(3) The attorney general shall, within 60 days of receiving a completed notice, inform parties to a material change transaction as to whether a comprehensive review of the material change transaction is required as provided under sections 11, 13, and 14 of this act.

(4) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. Sec. 11. (1) For all material change transactions included under RCW 19.390.040(3) that are not limited to the preliminary review under section 10 of this act, the attorney general shall review the completed notice and conduct a comprehensive review. After conducting a comprehensive review, the attorney general shall within 120 days of receiving the completed notice:

(a) Approve the material change transaction in writing. The approval of a material change transaction pursuant to this chapter does not constitute approval for the purpose of RCW 19.86.170, or any other provision of state or federal consumer protection or antitrust law. Such approval pursuant to this chapter does not preclude the attorney general from taking any action to enforce state or federal consumer protection or antitrust law;

(b) Impose conditions or modifications on the material change transaction to ensure the requirements of section 9 of this act are met and that sufficient safeguards are in place to ensure communities have continued or improved access to affordable quality care. The imposition of such conditions or modifications shall be in writing and constitute a final decision subject to all appellate rights contained within this chapter; or

(c) Disapprove the material change transaction in writing with written justification, which shall constitute a final decision subject to all appellate rights contained within this act.

(2) Within 30 days after a final decision of the attorney general either denying or approving with modifications a material change transaction, any party to the material change transaction may appeal the decision to the superior court. An appeal to the superior court shall be to the superior court of a county in which the material change transaction is to have occurred or to the superior

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court for Thurston county. Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the attorney general or their appointed designee. The attorney general shall, in all cases within 15 days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. The attorney general shall serve upon the appealing party and file with the clerk of the court within 30 days of the filing of the appeal, a certified copy of the attorney general's official record which shall include the final decision, and all accompanying documents, subject to the same confidentiality protections provided to such documents in the underlying act. These shall become the record in the case subject to leave of the court. The superior court shall review the final decision of the attorney general, subject to the statutory requirements of the underlying act and chapter 34.05 RCW.

(3) The attorney general may not make its decision to disapprove the material change transaction subject to any condition not directly and rationally related to the requirements under section 9 of this act and any condition or modification must bear a direct and rational relationship to the notice under review and the requirements under section 9 of this act.

(4) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. Sec. 12. During the course of the preliminary review of notices of material change transactions under RCW 19.390.040(3), as provided under section 10 of this act, the attorney general shall conduct one or more public hearings, at least one of which must be in a county where one of the communities impacted by the material change transaction is located and must also allow individuals to participate remotely in the hearing. If a material change transaction undergoes the comprehensive review process as provided for under sections 11, 13, and 14 of this act, the attorney general may conduct additional public hearings. At the hearings, anyone may file written comments and exhibits or appear and make a statement. The attorney general may subpoena additional information or witnesses, require and administer oaths, require sworn statements, take depositions, and use related discovery procedures for purposes of the hearing and at any time prior to making a decision on the material change transaction.

(1) The first public hearing must be held no later than 30 days after the attorney general receives a completed notice.

(2) At least 15 days prior to the public hearing, the attorney general shall provide notice of the time and place of the hearing on its website and to any person who has requested notice of the hearing in writing.

(3)(a) At least 15 days prior to the public hearing, the parties to the material change transaction shall provide notice of the time and place of the hearing. The notice must be provided:

(i) Through publication in a newspaper of general circulation in the communities that will be impacted by the material change transaction;

(ii) At the public entrance and on the bulletin board designated for legal or public notices of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction;

(iii) Prominently on the website available to the public of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction; and

(iv) On the website available to the employees of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction.

The notice of the time and place of the meeting must be provided in English and in the languages spoken in the county or counties in which the hospitals, hospital systems, provider organizations, or other health care facilities that are the subject of the material change transaction are located.

(b) For purposes of this section, "health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(4) Within 15 business days of the last hearing, the attorney general shall compile a summary report of each public hearing proceeding and post the summary report on its website.

(5) If during the course of the preliminary or comprehensive review, there is any change in the terms of the material change transaction that materially alters any of the information that the parties to the material change transaction provided under RCW 19.390.040(3), the attorney general shall conduct an additional public hearing to ensure adequate public comment regarding the proposed change.

(6) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. Sec. 13. (1) For any material change transactions included under RCW 19.390.040(3), which are not limited to the preliminary review under section 10 of this act, the attorney general must hire an independent contractor to prepare a health equity assessment. The independent contractor shall be screened for any conflicts of interest in advance, agree to maintain confidentiality of information pursuant to this chapter, agree to charge a reasonable market-rate fee, and have necessary experience and expertise. In creating a health equity assessment, the independent contractor must engage with and provide input in the assessment from the department of health, local public health jurisdictions, emergency health care coalitions, health care entities, public health experts, organizations representing employees of the applicant, health care advocates, community members who reside in the service areas of the parties to the material change transaction, the parties to the material change transaction, and other individuals or organizations the attorney general, secretary of health, or independent contractor determine should be consulted. Any assessment conducted under this section must be completed 30 days prior to the attorney general's deadline to complete a review under section 10 of this act.

(2) The health equity assessment must contain information and data, including health services data, to better inform the attorney general as to whether the parties meet the requirements for a material change transaction under section 9 of this act.

(3) The health equity assessment must include, but is not limited to, the following information:

(a) An assessment of whether the material change transaction will improve or reduce access to health services in the communities impacted by the material change transaction including, but not limited to, emergency care services, primary care services, specialty services, reproductive health care services, gender affirming health care, and end-of-life services including services provided in accordance with chapter 70.245 RCW;

(b) An assessment of whether the material change transaction will reduce health disparities with particular reference to

members of medically underserved groups in the parties' service areas;

(c) An assessment of the effect of the material change transaction on the affordability and provision of health care services to individuals eligible for medical assistance under chapter 74.09 RCW or medicare, indigent individuals, individuals with disabilities, women, racial and ethnic minorities, lesbian, gay, bisexual, transgender, gender diverse, or queer individuals, terminally ill individuals, and other underserved or marginalized populations;

(d) An assessment of the effect of the material change transaction on the level and type of charity care the parties to the material change transaction will provide;

(e) An assessment of the effect of the material change transaction on any community benefit program that the parties to the material change transaction have historically funded or operated;

(f) An assessment of the effect of the material change transaction on staffing for patient care and areas of patient care within facilities as it may affect availability of care, on the likely retention of employees as it may affect continuity of care, and on the rights of employees to provide input on health quality and staffing issues;

(g) An assessment of the effect of the material change transaction on the cost of patient care;

(h) An assessment of the prior performance of the parties to the material change transaction in meeting state and federal requirements to provide uncompensated care, community services, and access by minorities and people with disabilities to programs receiving federal financial assistance, including the existence of any civil rights access complaints against any of the parties, and how the material change transaction will impact the fulfillment of these requirements;

(i) An assessment of whether the material change transaction will have a positive or negative impact on effective communication between the hospitals, hospital systems, or provider organizations and people with limited English-speaking ability and those with speech, hearing, or visual impairments;

(j) An assessment of whether the material change transaction will reduce architectural barriers for people with mobility impairments with specific input from the department of health;

(k) A review of how the parties to the material change transaction will maintain or improve the quality of health services including a review of:

(i) Demographics of the parties' service areas;

(ii) Economic status of the population of the parties' services area;

(iii) Physician and professional staffing issues related to the material change transaction;

(iv) Availability of similar services at other institutions in or near the parties' services area; and

(v) Historical and projected market shares of hospitals, hospital systems, and provider organizations in the parties' service area;

(l) A financial and economic assessment that includes a description of current costs and competition in the relevant geographic and product market and any anticipated changes in such costs and competition as a result of the material change transaction; and

(m) A discussion of alternatives, and anticipated impacts of alternatives, to the material change transaction, including: (i) Closure of any of the health facilities that are the subject of the material change transaction; and (ii) recommendations for additional feasible mitigation measures that would reduce or eliminate any significant adverse effect on health care services and affordability identified in the health equity assessment.

(4) The information contained in the independent health equity assessment must be used by the attorney general's office in determining under section 11 of this act whether to impose conditions or modifications or disapprove the material change transaction.

(5) The health equity assessment must be posted on the attorney general's website.

NEW SECTION. Sec. 14. (1) The attorney general may at its discretion appoint a review board of stakeholders to conduct a comprehensive review and make recommendations as to whether a material change transaction under RCW 19.390.040(3), other than material change transactions limited to the preliminary review under section 10 of this act, fulfills the requirements under section 9 of this act.

(2) A review board convened by the attorney general under this section must consist of members of the communities affected by the material change transaction, consumer advocates, and health care experts.

(3) No more than one-third of the members of the review board may be representatives of institutional health care providers. The attorney general may not appoint to a review board an individual who is employed by or has a contract with a party to the material change transaction or is employed by a competitor that is of a similar size to a party to the material change transaction.

(4) A member of a review board shall file a notice of conflict of interest and the notice shall be made public.

NEW SECTION. Sec. 15. (1) The secretary of state may not accept any forms or documents in connection with any material change transaction if the attorney general, in accordance with section 11 of this act, disapproved the material change transaction or the parties to the material change transaction have not agreed to any conditions or modifications imposed by the attorney general in accordance with section 11 of this act.

(2) The attorney general may seek an injunction to prevent any material change transaction that has been disapproved by the attorney general in accordance with section 11 of this act or that does not incorporate any conditions or modifications imposed by the attorney general in accordance with section 11 of this act.

NEW SECTION. Sec. 16. For any material change transaction included under RCW 19.390.040(3), the following apply:

(1) Once a material change transaction is finalized the parties shall inform the attorney general in the form and manner prescribed by the attorney general.

(2) For at least 10 years, the attorney general shall monitor the parties' and any successor persons' ongoing compliance with this chapter.

(3) The attorney general shall, for 10 years, require annual reports from the parties to the material change transaction or any successor persons to ensure compliance with section 9 of this act and any conditions or modifications the attorney general imposed on the material change transaction. The attorney general may request information and documents and conduct on-site compliance audits.

(4) To effectively monitor ongoing compliance, the attorney general shall regularly provide the opportunity for the public to submit written comments, and may, in its discretion, contract with experts and consultants. Contract costs must not exceed an amount that is reasonable and necessary to conduct the review and evaluation.

(5) If the attorney general has reason to believe that the parties or successor persons' of a material change transaction no longer satisfy the requirements of section 9 of this act, or are not complying with any conditions or modifications imposed by the attorney general under section 11 of this act, the attorney general

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shall conduct an investigation. As part of the investigation the attorney general will provide public notice of the investigation and obtain input from community members impacted by the material change transaction. Following the investigation, the attorney general shall publish a report of its findings.

(6) If after the investigation, the attorney general determines that the parties or successor persons no longer satisfy the requirements of section 9 of this act, or are not complying with conditions or modifications imposed under section 11 of this act, the attorney general shall issue an order directing the parties or successor persons to come into compliance with this chapter and a timeline by which the parties must enter into compliance.

(7) If the parties or successor persons do not enter into compliance with the attorney general's order, the attorney general may impose civil fines of no less than \$10,000 per day until the parties or successor persons comply with the order, and may take legal action under section 18 of this act.

(8) The cost of the investigation and any on-site reviews related to determining the validity of the information will be borne by the parties to the material change transaction or successor persons.

(9) The attorney general may bill the parties or successor persons and the parties or successor persons billed by the attorney general shall promptly pay. If the parties or successor persons fail to pay within 30 days, the attorney general may assess a civil fine of five percent of the billed amount for each day the party does not pay.

NEW SECTION. **Sec. 17.** The attorney general, in consultation with provider organizations, will develop a simple form that parties or successor persons subject to RCW 19.390.040(2) will submit yearly for 10 years to demonstrate that the successor persons' overall level of care to individuals on medicaid or who are uninsured or underinsured has not materially lowered and that the successor persons' percentage of total patient revenue that comes from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals has not dropped below 50 percent.

NEW SECTION. **Sec. 18.** The attorney general has the authority to ensure compliance with commitments that inure to the public interest. The attorney general may take legal action to enforce this chapter, any conditions or modifications the attorney general imposes on a material change transaction, or any order the attorney general issues under section 16 of this act. The attorney general may obtain restitution, injunctive relief, civil penalties, disgorgement of profits, attorneys' fees, and such other relief as the court deems necessary to ensure compliance. The remedies provided under this chapter are in addition to any other remedy that may be available under any other provision of law.

Sec. 19. RCW 19.390.070 and 2019 c 267 s 7 are each amended to read as follows:

(1) Information submitted to the attorney general (~~(pursuant to this chapter)~~ under RCW 19.390.050) shall be maintained and used by the attorney general in the same manner and under the same protections as provided in RCW 19.86.110. The information, including documentary material, answers to written interrogatories, or transcripts of oral testimony produced pursuant to a demand or copies, must not, unless otherwise ordered by a superior court for good cause shown, be produced for inspection or copying pursuant to chapter 42.56 RCW by the person who produced the material, answered written interrogatories or gave oral testimony.

(2)(a) The parties to a material change transaction may designate portions of documents submitted pursuant RCW 19.390.040(3) and any documents thereafter submitted by the parties as confidential if the information is sensitive financial, commercial, or proprietary information or is protected from

disclosure by state or federal law. The applicant shall provide two versions of any document designated as confidential. One shall be marked as "CONFIDENTIAL" and shall contain the full unredacted version of the document and shall be maintained as such by the attorney general. The second shall be marked as "PUBLIC" and shall contain a redacted version of the materials from which the confidential portions have been removed or obscured and shall be made available by the attorney general to the public, the entity providing the health care equity assessment pursuant to section 13 of this act, the entity providing the financial assessment pursuant to section 9 of this act, and the review board of stakeholders pursuant to section 14 of this act. An applicant claiming confidentiality in respect to documents shall include a redaction log that provides a reasonably detailed statement of the grounds on which confidentiality is claimed, citing the applicable basis for confidentiality of each portion.

(b) Confidential materials provided by a party to a material change transaction that is subject to review by the attorney general shall be maintained as confidential materials and not subject to disclosure under chapter 42.56 RCW.

(3) All materials provided during public hearings are considered public records for purposes of chapter 42.56 RCW.

(4) Nothing in this chapter limits the attorney general's authority under RCW 19.86.110 or 19.86.115. Nothing in this chapter expands the attorney general's authority under chapter 19.86 RCW, federal or state antitrust law, or any other law. Failure to comply with this chapter does not provide a private cause of action.

NEW SECTION. **Sec. 20.** No provision of chapter 19.390 RCW derogates from the common law or statutory authority of the attorney general.

NEW SECTION. **Sec. 21.** The attorney general may adopt rules necessary to implement chapter 19.390 RCW and may contract with and provide reasonable reimbursement to qualified persons to assist in determining whether parties or successor persons are in compliance with the requirements under this chapter.

NEW SECTION. **Sec. 22.** If a material change transaction is also subject to review under chapter 70.38 or 70.45 RCW, the review under those chapters shall be concurrent with the review under this chapter, to the extent practicable.

NEW SECTION. **Sec. 23.** Every four years, the attorney general shall commission a study of the impact of material change transactions in Washington state. The study must review material change transactions occurring during the previous four-year period and include an analysis of:

(1) The impact on costs to consumers and health sponsors for health care; and

(2) Any increases or decreases in the quality of care, including:

(a) Improvement or reductions in morbidity;

(b) Improvement or reductions in the management of population health;

(c) Improvement or reductions in access to emergency care services, primary care services, reproductive health care services, gender affirming care services, and end-of-life care services including services provided in accordance with chapter 70.245 RCW; and

(d) Changes to health and patient outcomes, particularly for underserved and uninsured individuals, recipients of medical assistance and other low-income individuals, and individuals living in rural areas, as measured by nationally recognized measures of the quality of health care, such as measures used or endorsed by the national committee for quality assurance, the national quality forum, the physician consortium for performance improvement, or the agency for health care research and quality.

(3) The attorney general shall commission the first study under this section no later than January 1, 2028.

NEW SECTION. Sec. 24. (1) By January, 2026, the attorney general shall complete a study on the impact of health care mergers and acquisitions in Washington state between health carriers as defined in RCW 48.43.005 and hospitals, hospital systems, or provider organizations. The study shall include:

(a) The impact on costs to consumers and health sponsors for health care; and

(b) Any increases or decreases in the quality of care, including:

(i) Improvement or reductions in morbidity;

(ii) Improvement or reductions in the management of population health;

(iii) Improvement or reductions in access to emergency care services, primary care services, reproductive health care services, gender affirming care services, and end-of-life care services including services provided in accordance with chapter 70.245 RCW; and

(iv) Changes to health and patient outcomes, particularly for underserved and uninsured individuals, recipients of medical assistance and other low-income individuals, and individuals living in rural areas, as measured by nationally recognized measures of the quality of health care, such as measures used or endorsed by the national committee for quality assurance, the national quality forum, the physician consortium for performance improvement, or the agency for health care research and quality.

(2) This section expires July 1, 2026.

NEW SECTION. Sec. 25. This act may be known and cited as the keep our care act.

NEW SECTION. Sec. 26. Sections 7, 9 through 18, and 20 through 25 of this act are each added to chapter 19.390 RCW.

NEW SECTION. Sec. 27. This act takes effect January 1, 2025.

NEW SECTION. Sec. 28. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "marketplace;" strike the remainder of the title and insert "amending RCW 19.390.010, 19.390.020, 19.390.030, 19.390.040, 19.390.050, 19.390.080, and 19.390.070; adding new sections to chapter 19.390 RCW; creating a new section; providing an effective date; and providing an expiration date."

MOTION

Senator Short moved that the following amendment no. 607 by Senator Short be adopted:

On page 3, line 19, after "state entity" insert ". "Contracting affiliation" also does not include arrangements among entities under common ownership or arrangements where at least one entity in the arrangement has a publicly elected board of commissioners and where this same governance structure is retained after the transaction"

Senators Short and Rivers spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 607 by Senator Short on page 3, line 19 to striking amendment no. 557.

The motion by Senator Short did not carry and amendment no. 607 was not adopted by voice vote.

MOTION

Senator Kuderer moved that the following amendment no. 573 by Senator Kuderer be adopted:

On page 5, beginning on line 6, strike all of section 4 and insert the following:

"**Sec. 4.** RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ~~((sixty))~~ 120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ~~((section))~~ chapter, a material change transaction includes a merger, acquisition, or contracting affiliation ~~((between))~~ ;

(a) Between two or more ~~((entities))~~ of the following ~~((types))~~ entities:

~~((a))~~ (i) Hospitals;

~~((b))~~ (ii) Hospital systems; or

~~((c))~~ (iii) Provider organizations; or

(b) Between the following entities:

(i) An entity described in (a) of this subsection and a carrier or an insurance holding company system, as defined in RCW 48.31B.005; or

(ii) An entity described in (a) of this subsection and any other person or entity that has as its primary function the provision of health care services or that is a parent organization of, has control over, or governance of, an entity that has as its primary function the provision of health care services.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between ~~((a Washington entity and an out of state entity where the out of state entity generates ten million dollars or more in health care services revenue from patients residing in Washington state, and the entities are of the types identified in subsection (2) of this section))~~ Washington entities, as well as between Washington entities described in subsection (2)(a) of this section and out-of-state entities. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more ~~((hospitals, hospital systems, or provider organizations))~~ entities only qualifies as a material change transaction if the ~~((hospitals, hospital systems, or provider organizations))~~ entities did not previously have common ownership or a contracting affiliation."

Senators Kuderer and Rivers spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 573 by Senator Kuderer on page 5, line 6 to striking amendment no. 557.

The motion by Senator Kuderer carried and amendment no. 573 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, amendment no. 602 by Senator Rivers on page 5, line 6 to striking amendment no. 557 was withdrawn.

MOTION

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Senator Short moved that the following amendment no. 611 by Senator Short be adopted:

On page 5, beginning on line 6, strike all of section 4 and insert the following:

"Sec. 4. RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ((sixty)) 120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ((section)) chapter, a material change transaction includes a merger, acquisition, or contracting affiliation between two or more entities of the following types and which meets the requirements of subsection (4) of this section:

- (a) Hospitals;
- (b) Hospital systems; or
- (c) Provider organizations.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between Washington entities, as well as between a Washington entity and an out-of-state entity where the out-of-state entity or any of its affiliates generate((s ten million dollars)) \$10,000,000 or more in health care services revenue from patients residing in Washington state, ((and)) the entities are of the types identified in subsection (2) of this section, and the transaction meets the requirements of subsection (4) of this section. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) To qualify as a material change transaction:

(a) At least one party to the material change transaction must have had an average revenue of \$25,000,000 or more in the preceding three fiscal years; and

(b)(i) The second party to the transaction must have had an average revenue of at least \$10,000,000 in the preceding three fiscal years; or

(ii) In the case of a new entity, the new entity is projected to have at least \$10,000,000 in revenue in the first full year of operation at normal levels of utilization or operation.

(5) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more hospitals, hospital systems, or provider organizations only qualifies as a material change transaction if the hospitals, hospital systems, or provider organizations did not previously have common ownership or a contracting affiliation."

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 611 by Senator Short on page 5, line 6 to striking amendment no. 557.

The motion by Senator Short did not carry and amendment no. 611 was not adopted by voice vote.

MOTION

Senator Cleveland moved that the following amendment no. 584 by Senator Cleveland be adopted:

On page 6, line 38, after "(3)" insert "For material change transactions where none of the parties are hospitals or hospital systems or an affiliate of a hospital or hospital system, and the material change transaction would not result in: Reducing access

to health services, including reproductive health care services, end-of-life care services, and gender-affirming health care services, if appropriate; worsening health care outcomes; and increasing consumers' health care costs; the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The information and documentation required under subsection (1)(a) through (d) of this section; and

(b) Documentation describing how the parties will address health care access, outcomes, and costs and how the material change transaction will likely impact the delivery and cost of health-related services to the community and help to address health inequities.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Cleveland, Rivers and Mullet spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 584 by Senator Cleveland on page 6, line 38 to striking amendment no. 557.

The motion by Senator Cleveland did not carry and amendment no. 584 was not adopted by a rising vote.

MOTION

Senator Holy moved that the following amendment no. 610 by Senator Holy be adopted:

On page 6, line 38, after "(3)" insert "(a)"

Renumber and reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 7, line 2, after "include" insert "the following information, unless the attorney general and parties agree to narrow the scope of information needed relevant to the material change transaction"

On page 11, after line 33, insert the following:

"(b) When documents are available from a publicly available source, the parties may indicate the public availability to the attorney general rather than providing the documents directly."

Senator Holy spoke in favor of adoption of the amendment to the striking amendment.

Senators Randall and Rivers spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 610 by Senator Holy on page 6, line 38 to striking amendment no. 557.

The motion by Senator Holy did not carry and amendment no. 610 was not adopted by voice vote.

MOTION

Senator Muzzall moved that the following amendment no. 609 by Senator Muzzall be adopted:

Beginning on page 7, line 3, after "(a)" strike everything through "transaction" on page 11, line 33, and insert "The information and documentation required under subsection (1)(a) through (d) of this section;

(b) A copy of the material change transaction agreements;

(c) A copy of the organizational charts of the parties to the transaction and proposed organizational charts, if any, for after the closing of the transaction;

(d) Financial statements for the prior three fiscal years;

(e) If applicable, a copy of the notification and report form submitted to the federal trade commission and United States department of justice under the Hart-Scott-Rodino Act of 1976, and all rules and regulations promulgated thereunder, and any attachments thereto;

(f) If applicable, a statement from each of the parties' board of directors that explains the anticipated effect the material change transaction will likely have on delivery and cost of health-related services to the communities impacted by the material change transaction, and the basis for this opinion;

(g) If applicable, a copy of the two most recent community health needs assessments or any similar evaluations or assessments prepared by or for any entities that are the subject of the material change transaction;

(h) If applicable, a description of all charity care provided in the last three years, as well as denials, and the projected charity care for three years following the material change transaction by the parties to the material change transaction, or any successor persons. This description must include:

(i) Annual total charity care spending;

(ii) A description of how the amount of charity care spending was calculated;

(iii) The number of charity care denials and reasons for denial; and

(iv) A description of the policies, procedures, and eligibility requirements for the provision of charity care;

(i) If applicable, a description of the health care services currently provided at each hospital, hospital system, or provider organization that is the subject of the material change transaction;

(j) If applicable, a description of all services provided in the past three years by each hospital, hospital system, and provider organization that is the subject of the material change transaction to apple health patients, qualified health plan patients, and indigent patients;

(k) If applicable, all policies, procedures, and other training materials related to registration, admission, and collections, including upfront, point-of-service, and postservice billing and collections;

(l) If applicable, any updates to the following current policies for any hospital and, to the extent they exist, the following current policies for any party to the material change transaction that is the subject of the material change transaction: (i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) the reproductive health care services form as required under RCW 70.41.520;

(m) If applicable, the following proposed policies that will apply after the material change transaction for any hospital or provider organization that is the subject of the material change transaction: (i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) for hospitals, the reproductive health care services form as required under RCW 70.41.520;

(n) If applicable, and to the extent they exist, any policies concerning the information and referrals medical providers are required to provide or are restricted from providing to patients regarding end-of-life care, including services provided in accordance with chapter 70.245 RCW;

(o) If applicable, if the material change transaction will have any impact on reproductive health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the

availability or accessibility of reproductive health care services in Washington state, a description of the reproductive health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available reproductive health care services. This description must include the types and aggregate number of reproductive services provided in the last three years and those proposed to be provided after the material change transaction, including, but not limited to, information about contraception provision, pregnancy terminations, tubal ligations, and fertility treatments provided, and a description of how this information was compiled;

(p) If applicable, if the material change transaction will have any impact on end-of-life health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, including services provided in accordance with chapter 70.245 RCW, or any impact on the availability or accessibility of end-of-life health care services in Washington state, including services provided in accordance with chapter 70.245 RCW, a description of the end-of-life health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available end-of-life care services. This description must include the types and aggregate number of end-of-life services provided in the last three years and those proposed to be provided after the material change transaction including, but not limited to, information about the number of occasions in which doctors served as consulting or attending physicians at the hospital, hospital system, or provider organization under chapter 70.245 RCW, a description of the end-of-life health care services expected to be available at the hospitals, hospital systems, or provider organizations that are the subject of the material change transaction, and a description of how this information was compiled;

(q) If applicable, if the material change transaction will have any impact on gender-affirming health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of gender-affirming health care services in Washington state, a description of all gender-affirming health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available gender-affirming care. This description must include the types and aggregate numbers of gender-affirming health care provided in the last three years and those proposed to be provided after the material change transaction including, but not limited to, facial gender-affirming care, body gender-affirming care, and primary sex characteristics care, and a description of how this information was compiled;

(r) A description of any anticipated changes in health care services provided by any party to the material change transaction after the transaction is completed. If anticipated alterations include a reduction, relocation, or elimination of a service, the following information should be included: (i) The need the population presently has for the service; and (ii) how the need will be adequately met by the proposed alteration or alternative arrangements designed to meet the identified need;

(s) A description of each measure proposed by the parties to mitigate or eliminate any potential adverse effect on the availability or accessibility of health care services to the affected

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communities that may result from the material change transaction;

(t) A description of any changes to sexual assault nurse examiner and forensic nurse examiner programs after the material change transaction at any hospital, hospital system, or provider organization that is the subject of the material change transaction and any measures proposed by the parties to mitigate or eliminate any potential adverse effects to these programs;

(u) A description of any community benefit program provided by any of the parties to the material change transaction during the past three years with an annual cost of at least \$10,000 and the annual cost of each program for the past five years;

(v) If applicable, a description of current policies and procedures on staffing for patient care areas; employee input on health quality and staffing issues; and employee wages, salaries, benefits, working conditions, and employment protections. This description must include a list of all existing staffing plans, policy and procedure manuals, employee handbooks, collective bargaining agreements, or similar employment-related documents;

(w) If applicable, all existing documents setting forth any guarantees made by any entity that would be taking over operation or control of a party to the material change transaction relating to employee job security and retraining, or the continuation of current staffing levels and policies, employee wages, salaries, benefits, working conditions, and employment protections;

(x) A statement as to whether, after the material change transaction, neutrality will be maintained through all communications and usage of funds regarding nonunion employees forming a union;

(y) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a statement as to whether any successor of the employer or union will be bound to any existing union certification and any existing collective bargaining agreement;

(z) A description of current debt collection practices and a description of any anticipated changes to debt collection practices following the material change transaction;

(aa) If applicable, a detailed statement and documents relating to the parties' plans for existing provider privileges after the material change transaction;

(bb) A detailed statement and documents relating to the parties' plans for ensuring safeguards to avoid conflict of interest in patient referral after the material change transaction;

(cc) A detailed statement and documents relating to the parties' commitment and plans to provide health care to the disadvantaged, the uninsured, and the underinsured, and how benefits to promote improved health in the affected community will be provided after the material change transaction; and

(dd) A list of the primary languages spoken by patients in the service area that is the subject of the material change transaction"

Correct any internal references accordingly.

Senators Muzzall and Randall spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 609 by Senator Muzzall on page 7, line 3 to striking amendment no. 557.

The motion by Senator Muzzall carried and amendment no. 609 was adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 601 by Senator Rivers be adopted:

Beginning on page 11, line 34, strike all of subsection (4) and insert the following:

"(4)(a) The attorney general, for good cause shown, may provide emergency review for a material change transaction if the attorney general finds that:

(i) There is an emergency situation including, but not limited to, a public health emergency which immediately threatens health care services; or

(ii) The material change transaction is urgently needed to protect the interest of consumers and to preserve the solvency of an entity.

(b)(i) In providing emergency review due to an emergency circumstance, the attorney general may limit the information otherwise required by subsection (3) of this section for the sole purpose of expediting the review process, however, the attorney general shall post public information on the attorney general's website and the parties shall provide notice as follows:

(A) Through publication in a newspaper of general circulation in the communities that will be impacted by the material change transaction;

(B) At the public entrance and on the bulletin board designated for legal or public notices of the entity that is the subject of the material change transaction;

(C) Prominently on the website available to the public of any entity that is the subject of the material change transaction; and

(D) On the website available to the employees of any entity that is the subject of the material change transaction.

(ii) The notices must be provided in English and in the languages spoken by at least 10 percent of the population of the county or counties in which the entities that are the subject of the material change transaction are located.

(c) An applicant for emergency review shall provide the attorney general the following information which shall be subject RCW 19.390.070 regarding the availability of records:

(i) A detailed explanation of the grounds for the application, including a complete statement of the facts, circumstances, and conditions which justify emergency exemption as well as the conditions necessitating immediate relief;

(ii) A detailed explanation of all the terms, conditions, and agreements that comprise the material change transaction and the manner in which such terms, conditions, and agreements will respond to the conditions necessitating emergency consideration of the exemption application;

(iii) A detailed explanation of why time is of the essence and an emergency review is required and the reasons why the material change transaction is in the public interest and in the interest of those consumers and markets that are or will be served by the parties following closing of the material change transaction;

(iv) Such additional information, documents, and analysis as the attorney general may require in order to evaluate the application and the asserted grounds for emergency review; and

(v) An undertaking by the parties to make such further filings with, and submit such further information to and to cooperate with and assist the attorney general, as applicable, in conducting such further investigations, hearings, and examinations, as may be required following the allowance of emergency review for the material change transaction.

(d) If the attorney general determines an emergency review is not warranted, the material change transaction shall be subject to preliminary or comprehensive review and oversight required under this chapter.

(e) If the attorney general approves a material change transaction pursuant to this section, the transaction remains subject to oversight required by this chapter."

Senators Rivers and King spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 601 by Senator Rivers on page 11, line 34 to striking amendment no. 557.

The motion by Senator Rivers did not carry and amendment no. 601 was not adopted by a rising vote.

MOTION

Senator Padden moved that the following amendment no. 605 by Senator Padden be adopted:

On page 12, beginning on line 15, strike all of subsection (5) Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Padden, Short and Rivers spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 605 by Senator Padden on page 12, line 15 to striking amendment no. 557.

The motion by Senator Padden did not carry and amendment no. 605 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 603 by Senator Padden be adopted:

On page 13, at the beginning of line 30, strike "15" and insert "one"

On page 13, beginning on line 30, after "transaction" strike all material through "general" on line 31

Senators Padden, Rivers and Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 603 by Senator Padden on page 13, line 30 to striking amendment no. 557.

The motion by Senator Padden did not carry and amendment no. 603 was not adopted by a rising vote.

MOTION

Senator Braun moved that the following amendment no. 614 by Senator Braun be adopted:

On page 13, beginning on line 32, after "(1)" strike all material through "solvency." on page 14, line 28 and insert "No material change transaction under this chapter may take place if it would detrimentally affect the continued existence of accessible, affordable health care in Washington state or the affected community for at least six years after the transaction occurs. To this end, the material change transaction or steps taken to mitigate

the impacts of the transaction must result in the affected communities having the same or greater access to quality, affordable care including, but not limited to, emergency care, primary care, reproductive health care, gender affirming care, and end-of-life care including services provided in accordance with chapter 70.245 RCW.

(2) The material change transaction must also result in:

(a) Reducing, stabilizing, or holding the growth in patient and health plan sponsor costs to regular rates of medical inflation;

(b) Maintaining or increasing access to services in medically underserved areas;

(c) Rectifying historical and contemporary factors contributing to a lack of health equities or access to services; or

(d) Maintaining or improving health outcomes for residents of this state or the community served.

(3) The attorney general shall also consider whether the material change transaction:

(a) Results in the revocation of privileges to the extent such reductions would diminish patients' access to quality care. The health provider may revoke privileges due to quality of care and patient safety concerns even if doing so limits access to care. The health care provider must establish sufficient safeguards to maintain appropriate capacity for health provider education;

(b) Results in a reduction in staffing capacity for the provision of medically necessary services to the extent such reductions would diminish patients' access to quality care;

(c) Is substantially likely to negatively impact the labor market by lowering wages, slowing wage growth, or worsening benefits or other working conditions;

(d) Is substantially likely to result in or further entrench a dominant market position in the relevant market of one or more entity to the material change transaction; or

(e) Is part of a series of similar transactions involving one or more entity to the material change transaction that is substantially likely to result in consolidation in the relevant market.

(4) In determining whether a material change transaction fulfills the requirements of subsections (1) through (3) of this section, the attorney general shall take into consideration whether the material change transaction is necessary to maintain the solvency of an entity involved in the transaction. In making the determination, the attorney general must consider possible alternatives to the material change transaction, and the likely impact of those alternatives, if implemented, on the entity's solvency.

(5) Unless the attorney general concludes after conducting a comprehensive review that there is a substantial likelihood that the material change transaction will not meet the requirements of subsections (1) through (3) of this section, the material change transaction must be approved with no conditions."

Senators Braun, MacEwen and Mullet spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Braun demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment no. 614 by Senator Braun on page 13, line 32 to striking amendment no. 557.

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ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 614 by Senator Braun and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Boehnke, Braun, Cleveland, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Braun moved that the following amendment no. 613 by Senator Braun be adopted:

Beginning on page 18, line 22, after "(1)" strike all material through "act" on page 19, line 2 and insert "For any material change transaction included under RCW 19.390.040(3), that is not limited to the preliminary review under section 10 of this act or being reviewed under the emergency review process pursuant to RCW 19.390.040(4) the attorney general may, in consultation with the secretary of health, hire an expert independent contractor to prepare a health equity assessment if, in the opinion of the attorney general and secretary of health, an assessment is necessary based on the likely negative impact of the transaction on the elements in subsection (3) of this section. The independent contractor shall be screened for any conflicts of interest in advance, agree to maintain confidentiality of information pursuant to this act, agree to charge a reasonable market rate fee, and have necessary experience and expertise in health planning, economics, operations, and financial analysis. In creating a health equity assessment, the independent contractor must engage with and provide input in the assessment from the department of health, local public health jurisdictions, emergency health care coalitions, health care entities, public health experts, organizations representing employees of the applicant, health care advocates, community members who reside in the service areas of the parties to the material change transaction, the parties to the material change transaction, and other individuals or organizations the attorney general, secretary of health, or independent consultant determine should be consulted. Any assessment conducted under this section must be completed 30 days prior to the attorney general's deadline to complete a review under section 10 of this act."

On page 20, line 13, after "(j)" strike "An" and insert "In consultation with the department of health, an"

On page 20, at the beginning of line 15, strike "with specific input from the department of health"

On page 21, line 3, after "to" insert "approve,"

On page 21, line 4, after "modifications" insert ", "

Senator Braun spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 613 by Senator Braun on page 18, line 22 to striking amendment no. 557.

The motion by Senator Braun did not carry and amendment no. 613 was not adopted by voice vote.

MOTION

Senator Boehnke moved that the following amendment no. 612 by Senator Boehnke be adopted:

On page 22, beginning on line 6, strike all of subsections (2) and (3) and insert the following:

"(2)(a) For material change transactions limited to the preliminary review under section 10 of this act or reviewed under the emergency review process pursuant to RCW 19.390.040(4), for at least three years, the attorney general shall monitor the parties' and any successor persons' ongoing compliance with this chapter.

(b) For material change transactions subject to comprehensive review, for at least six years, the attorney general shall monitor the parties' and any successor persons' ongoing compliance with this chapter.

(3)(a) For material change transactions limited to the preliminary review under section 10 of this act or reviewed under the emergency review process pursuant to RCW 19.390.040(4), the attorney general shall, for three years, require annual reports from the parties to the material change transaction or any successor persons to ensure compliance with section 9 of this act and any conditions or modifications the attorney general imposed on the material change transaction. The attorney general may request information and documents and conduct on-site compliance audits.

(b) For material change transactions subject to comprehensive review, the attorney general shall, for six years, require annual reports from the parties to the material change transaction or any successor persons to ensure compliance with section 9 of this act and any conditions or modifications the attorney general imposed on the material change transaction. The attorney general may request information and documents and conduct on-site compliance audits."

On page 23, beginning on line 6, strike all of subsection (9) and insert the following:

"(9) The attorney general may bill the parties or successor persons and the parties or successor billed by the attorney general shall promptly pay. If the parties or successor fail to pay within 60 days, the attorney general may assess a civil fine of a rate of one percent of the delinquent amount per month the party does not pay."

Senators Boehnke, Short and Rivers spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 612 by Senator Boehnke on page 22, line 6 to striking amendment no. 557.

The motion by Senator Boehnke did not carry and amendment no. 612 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 606 by Senator Fortunato be adopted:

On page 23, after line 2, strike all of subsections (8) and (9) Correct any internal references accordingly.

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Trudeau spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 606 by Senator Fortunato on page 23, after line 2 to striking amendment no. 557.

The motion by Senator Fortunato did not carry and amendment no. 606 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 604 by Senator Padden be adopted:

On page 25, beginning on line 4, after "general" strike all material through "RCW and" on line 5

Senators Padden and Rivers spoke in favor of adoption of the amendment to the striking amendment.

Senators Dhingra and Trudeau spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 604 by Senator Padden on page 25, line 4 to striking amendment no. 557.

The motion by Senator Padden did not carry and amendment no. 604 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 608 by Senator Wagoner be adopted:

On page 26, line 32, after "effect" strike "January" and insert "July"

Senators Wagoner and Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Randall spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 608 by Senator Wagoner on page 26, line 32 to striking amendment no. 557.

The motion by Senator Wagoner did not carry and amendment no. 608 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 557 by Senator Randall as amended to Senate Bill No. 5241.

The motion by Senator Randall carried and striking amendment no. 557 as amended was adopted by a rising vote.

MOTION

On motion of Senator Randall, the rules were suspended, Engrossed Senate Bill No. 5241 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall, Kuderer and Dhingra spoke in favor of passage of the bill.

Senators Fortunato, Warnick, King, Short, Wagoner, Wilson, J., Padden, Mullet, Torres and Wilson, L. spoke against passage of the bill.

MOTION

At 6:15 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of a brief rostrum break.

The Senate was called to order at 6:26 p.m. by the President of the Senate, Lt. Governor Heck presiding.

The Senate resumed consideration of Engrossed Senate Bill No. 5241 which had been on third reading and final passage.

Senator Trudeau spoke in favor of passage of the bill.

Senators Rivers, Dozier, MacEwen, Braun, and Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5241.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5241 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5241, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5968, by Senators Stanford, Dhingra, Frame, Hasegawa, Kuderer, Saldaña, Trudeau, Valdez, and Wilson, C.

Regulating home equity sharing agreements under the consumer loan act.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5968 was substituted for Senate Bill No. 5968 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5968, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Stanford, Dhingra, Frame, Hasegawa, Kuderer, Saldaña, Trudeau, Valdez, and Wilson, C.)

Senator Stanford moved that the following amendment no. 559 by Senator Stanford be adopted:

On page 7, line 34, after "equity in" insert "the real estate that is"

On page 7, line 35, after "dwelling" insert "at the time"

Beginning on page 7, line 37, strike all of section 2

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Renumber the remaining sections consecutively and correct any internal references accordingly.

Beginning on page 12, line 6, strike all of section 4

On page 1, beginning on line 2 of the title, after "31.04.015" strike ", 31.04.027, 31.04.102, and 31.04.105" and insert "and 31.04.102"

Senator Stanford spoke in favor of adoption of the amendment.

Senator Dozier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 559 by Senator Stanford on page 7, line 34 to Substitute Senate Bill No. 5968.

The motion by Senator Stanford carried and amendment no. 559 was adopted by voice vote.

MOTION

Senator Dozier moved that the following striking amendment no. 558 by Senator Dozier be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The department of financial institutions shall conduct a study on home equity sharing agreements that reviews the need for regulation along with potential recommendations for future regulation or legislation. The study shall:

(a) Include data and information on home equity sharing agreements that provides an understanding of how these agreements are being used, how many are being used, and who is using them;

(b) Review how home equity sharing agreements are advertised and marketed to consumers;

(c) Identify a potential licensing structure for persons or businesses that offer home equity sharing agreements;

(d) Review the disclosures and contracts provided to homeowners who consider or enter into a home equity sharing agreement;

(e) Review how the home equity sharing agreement market currently uses discounts, exchange ratios, or other mechanisms for embedded returns;

(f) Identify the need for potential caps or limits on equity returns;

(g) Identify the need for prohibiting certain practices related to home equity sharing agreements; and

(h) Evaluate the potential impact to the home equity sharing agreement market if potential regulations are implemented.

(2) The department of financial institutions shall consult with members from the home equity sharing agreement industry, consumers, and others as necessary to conduct the study and develop recommendations.

(3) The department of financial institutions shall submit a report to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024, with the department's recommendations regarding regulations for the home equity sharing agreement market.

(4) This section expires August 1, 2025."

On page 1, line 2 of the title, after "act;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

Senator Dozier spoke in favor of adoption of the striking amendment.

Senator Stanford spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 558 by Senator Dozier to Substitute Senate Bill No. 5968.

The motion by Senator Dozier did not carry and striking amendment no. 558 was not adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 5968 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

Senator Dozier spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5968.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5968 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5968, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5908, by Senators Wilson, C., Frame, Billig, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau, and Valdez

Providing extended foster care services to youth ages 18 to 21.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5908 was substituted for Senate Bill No. 5908 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5908, by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Frame, Billig, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau, and Valdez)

Senator Wilson, C. moved that the following amendment no. 574 by Senator Wilson, C. be adopted:

On page 7, line 7, after "payment" strike all material through "(v)" on line 10

On page 13, line 4, after "payment" strike all material through "(v)" on line 7

On page 21, line 10, after "(4)" strike all material through "care" on line 15 and insert "The department shall develop a program to make incentive payments to youth in extended foster care who participate in qualifying activities described in RCW 74.13.031(12)(b) (i) through (v). This program design must include stakeholder engagement from impacted communities. Subject to appropriations for this specific purpose, the department shall make incentive payments to qualifying youth in addition to the supervised independent living subsidy, beginning by July 1, 2025"

Senators Wilson, C. and Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 574 by Senator Wilson, C. on page 7, line 7 to Second Substitute Senate Bill No. 5908.

The motion by Senator Wilson, C. carried and amendment no. 574 was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Second Substitute Senate Bill No. 5908 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5908.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5908 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, Holy, MacEwen, McCune, Padden, Short, Wagoner and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5908, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5774, by Senators Billig, Hawkins, Wilson, C., Wellman, Dozier, Frame, Kuderer, Lovick, Mullet, Nguyen, Nobles, Padden, Salomon, and Shewmake

Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs.

On motion of Senator Billig, Substitute Senate Bill No. 5774 was substituted for Senate Bill No. 5774 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5774, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Billig, Hawkins, Wilson, C., Wellman, Dozier, Frame, Kuderer, Lovick, Mullet, Nguyen, Nobles, Padden, Salomon, and Shewmake)

On motion of Senator Billig, the rules were suspended, Substitute Senate Bill No. 5774 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5774.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5774 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5774, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5660, by Senators Boehnke, Dhingra, Saldaña, Wellman, and Wilson, C.

Establishing a mental health advance directive effective implementation work group; creating a new section; and providing an expiration date.

MOTIONS

On motion of Senator Boehnke, Second Substitute Senate Bill No. 5660 was substituted for Senate Bill No. 5660 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5660, by Committee on Ways & Means (originally sponsored by Senators Boehnke, Dhingra, Saldaña, Wellman, and C. Wilson)

Revised for Second Substitute: Establishing a mental health advance directive effective implementation work group.

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On motion of Senator Pedersen, the rules were suspended, Second Substitute Senate Bill No. 5660 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5660.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5660 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Padden

SECOND SUBSTITUTE SENATE BILL NO. 5660, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6264, by Senators Wellman, Hasegawa, Nobles, Saldaña, and Wilson, C.

Supporting the implementation of competency-based education.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 6264 was substituted for Senate Bill No. 6264 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6264, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Hasegawa, Nobles, Saldaña, and Wilson, C.)

Senator Wellman moved that the following amendment no. 589 by Senator Wellman be adopted:

On page 4, line 4, after "instruction," insert "the Washington student achievement council."

Senators Wellman and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 589 by Senator Wellman on page 4, line 4 to Substitute Senate Bill No. 6264.

The motion by Senator Wellman carried and amendment no. 589 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute Senate Bill No. 6264 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6264.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6264 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, McCune, Padden and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6264, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5849, by Senators Wellman, Nobles, Boehnke, Frame, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Trudeau, and Wilson, C.

Concerning a computer science competency graduation requirement.

MOTIONS

On motion of Senator Wellman, Second Substitute Senate Bill No. 5849 was substituted for Senate Bill No. 5849 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5849, by Senate Committee on Ways & Means (originally sponsored by Wellman, Nobles, Boehnke, Frame, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Trudeau, and Wilson, C.)

Senator Hasegawa moved that the following amendment no. 587 by Senator Hasegawa be adopted:

On page 2, line 23, after "The" strike "state board of education" and insert "office of the superintendent of public instruction"

On page 2, at the beginning of line 32, strike "state board of education" and insert "office of the superintendent of public instruction"

Senators Hasegawa and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 587 by Senator Hasegawa on page 2, line 23 to Second Substitute Senate Bill No. 5849.

The motion by Senator Hasegawa carried and amendment no. 587 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5849 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5849.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5849 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Schoesler, Warnick and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5849, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6108, by Senators King, Stanford, and Mullet

Addressing retainage on private construction projects.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 6108 was substituted for Senate Bill No. 6108 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6108, by Senate Committee on Labor & Commerce (originally sponsored by King, Stanford, and Mullet)

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6108 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6108.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6108 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6108, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 7:57 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Friday, February 9, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 9, 2024

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Bridget Simmons and Mr. Denver Hainstock, presented the Colors.

Page Miss Kameryn Jensen led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Jeffrey Spencer of Oak Harbor Lutheran Church.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the Secretary of the Senate:

Agriculture, Department of - *“WSDA Pesticide Management Division Annual Report”*, pursuant to 15.58.420 RCW; *“WSDA Pesticide Management Division Annual Report”*, pursuant to 17.21.350 RCW;

Auto Theft Prevention Authority, Washington - *“Auto Theft Prevention Authority 2023 Annual Report”*, in accordance with Engrossed Third Substitute House Bill No. 1001;

Commerce, Department of - *“Affordable and Supportive Housing Sales and Use Tax - Collection and Use of Revenue”*, pursuant to 82.14.540 RCW; *“Washington Transportation Electrification Strategy Full Report; Developed by the Interagency Electric Vehicle Coordinating Council”*, pursuant to 43.392.040 RCW; *“Community Assistance Plan to Address Residential Permit Delays”*, in accordance with Senate Bill No. 5290;

Health Care Authority - *“Access to Behavioral Health Services for Children, Youth, and Young Adults”*, pursuant to 74.09.495 RCW; *“Island County Pilot Program - Improve Behavioral Health Outcomes for Youth and Young People in Rural Communities”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Health, Department of - *“Biotoxin Fee Letter”*, pursuant to 77.32.555 RCW; *“Military and Military-Affiliated Licensure Streamlining”*, pursuant to 73.04.150 RCW; *“Uniform Disciplinary Act Biennial Report for 2021-23”*, pursuant to 18.130.310 RCW; *“Summary of Fiscal Year 24 Drinking Water State Revolving Fund Loan Funding Cycle”*, pursuant to 70A.125.160 RCW;

Public Instruction, Office of the Superintendent of - *“Post-School Outcomes for Students with Disabilities 2023”*, pursuant to 28A.155.220 RCW; *“Maritime Academy Feasibility”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“UPDATE: LAP Growth Data”*, pursuant to 28A.165.100 RCW;

Regulatory Innovation and Assistance, Office for - *“Impacts of Significant Legislative Rulemaking 2022-2023”*, pursuant to 34.05.328 RCW; *“Impacts of Significant Legislative Rulemaking 2022-2023 Letter of Transmittal”*, pursuant to 34.05.328 RCW;

Social & Health Services, Department of - *“WorkFirst Maintenance of Effort and Work Participation Rate - 2023 First & Second Quarter”*, in accordance with Engrossed Substitute Senate Bill No. 5187;

Transportation, Department of - *“Semi-Annual Practical Design Savings Report”*, pursuant to 47.01.480 RCW; *“Fund Transfers Letter, February 2024”*, in accordance with Engrossed Substitute House Bill No. 1125;

Washington State Patrol - *“Quarterly Report on Mobilization Costs”*, in accordance with Engrossed Substitute Senate Bill No. 5187;

Western Washington University - *“Addressing Sexual Misconduct at Postsecondary Educational Institutions”*, pursuant to 28B.112.050 RCW.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 8, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248,

SECOND ENGROSSED SUBSTITUTE

HOUSE BILL NO. 1371,

ENGROSSED HOUSE BILL NO. 2088,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 8, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1752,

SUBSTITUTE HOUSE BILL NO. 2072,

SUBSTITUTE HOUSE BILL NO. 2075,

HOUSE BILL NO. 2110,

HOUSE BILL NO. 2135,

SUBSTITUTE HOUSE BILL NO. 2224,

SUBSTITUTE HOUSE BILL NO. 2381,

HOUSE BILL NO. 2415,

SUBSTITUTE HOUSE BILL NO. 2428,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 8, 2024

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1391,

SUBSTITUTE HOUSE BILL NO. 1892,

SUBSTITUTE HOUSE BILL NO. 1905,

SUBSTITUTE HOUSE BILL NO. 1915,

SUBSTITUTE HOUSE BILL NO. 1947,

HOUSE BILL NO. 1948,

HOUSE BILL NO. 1967,

HOUSE BILL NO. 1975,
HOUSE BILL NO. 1982,
SUBSTITUTE HOUSE BILL NO. 2061,
SUBSTITUTE HOUSE BILL NO. 2102,
SECOND SUBSTITUTE HOUSE BILL NO. 2112,
SUBSTITUTE HOUSE BILL NO. 2216,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 8, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1946,
HOUSE BILL NO. 1963,
HOUSE BILL NO. 1983,
HOUSE BILL NO. 2031,
HOUSE BILL NO. 2137,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2191,
HOUSE BILL NO. 2302,
SUBSTITUTE HOUSE BILL NO. 2347,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 8, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE

HOUSE BILL NO. 1692,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1932,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957,
SUBSTITUTE HOUSE BILL NO. 1999,
SUBSTITUTE HOUSE BILL NO. 2056,
SUBSTITUTE HOUSE BILL NO. 2091,
SUBSTITUTE HOUSE BILL NO. 2156,
ENGROSSED HOUSE BILL NO. 2164,
HOUSE BILL NO. 2318,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2356,
ENGROSSED HOUSE BILL NO. 2372,
SUBSTITUTE HOUSE BILL NO. 2396,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 1510 by House Committee on Finance (originally sponsored by Representatives Santos, Chopp, Fitzgibbon and Pollet)

AN ACT Relating to establishing permanent funding for community preservation and development authorities approved through RCW 43.167.060; adding a new section to chapter 82.14 RCW; adding a new section to chapter 43.167 RCW; and providing an effective date.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1949 by Representatives Leavitt, Schmidt, Ryu, Callan, Doglio, Reed, Ormsby, Fosse, Reeves and Davis; by request of Department of Social and Health Services

AN ACT Relating to including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings; amending RCW 41.37.010; adding a new section to chapter 41.37 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1958 by Representatives Berry, Orwall, Ryu, Fitzgibbon, Leavitt, Ramel, Reed, Simmons, Ormsby, Fosse, Lekanoff, Reeves, Pollet, Davis and Doglio

AN ACT Relating to nonconsensual removal of or tampering with a sexually protective device; adding a new chapter to Title 7 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

HB 1976 by Representatives Fosse, Doglio, Fitzgibbon, Ramel, Reed, Lekanoff, Reeves and Pollet; by request of Department of Commerce

AN ACT Relating to changing the incentive structure for tier 1 and tier 2 buildings; and amending RCW 19.27A.220.

Referred to Committee on Environment, Energy & Technology.

ESHB 1998 by House Committee on Housing (originally sponsored Representatives Gregerson, Barkis, Leavitt, Rule, Ryu, Reed, Morgan, Fitzgibbon, Berry, Duerr, Bronoske, Ramos, Ramel, Bateman, Peterson, Chambers, Taylor, Simmons, Ormsby, Graham, Callan, Macri, Donaghy, Doglio, Mena, Nance, Riccelli, Cortes, Santos, Pollet and Davis)

AN ACT Relating to legalizing inexpensive housing choices through co-living housing; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 2004 by Representatives McEntire, Leavitt, Couture, Slatter, Ryu, Senn, Graham, Callan, Sandlin and

AN ACT Relating to early registration at institutions of higher education for eligible veterans, national guard members, active duty military members, and their spouses, domestic partners, and dependents; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education & Workforce Development.

SHB 2045 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Waters, Chapman, Timmons, Harris and Reeves)

AN ACT Relating to the creation of an adopt a fish barrier program; amending RCW 47.40.105; adding a new section to chapter 77.95 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

THIRTY THIRD DAY, FEBRUARY 9, 2024

HB 2059 by Representatives Stearns, Ramos, Senn, Ramel, Morgan, Peterson, Callan, Gregerson, Santos and Reeves

AN ACT Relating to the sale of halal food products; amending RCW 15.130.140; adding a new chapter to Title 69 RCW; and prescribing penalties.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2074 by Representatives Dye, Dent, Jacobsen, Graham and Sandlin

AN ACT Relating to limiting the application of certain civil penalties to protect landowners from incurring penalties based on the actions of the landowner's lessee; and amending RCW 90.03.600.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 2086 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Entenman, Goodman, Fitzgibbon, Berry, Reed, Ormsby, Street, Doglio, Farivar and Kloba; by request of Office of Independent Investigations)

AN ACT Relating to updating processes of the office of independent investigations by changing authority to obtain and share investigative information and aligning with current operations and practices; amending RCW 43.102.010, 43.102.050, 43.102.080, 43.102.100, 43.102.120, and 43.102.800; and providing an expiration date.

Referred to Committee on Law & Justice.

SHB 2097 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Berry, Ortiz-Self, Reed, Simmons, Ormsby, Ramel, Fosse, Goodman, Lekanoff, Doglio, Pollet and Kloba)

AN ACT Relating to assisting workers in recovering wages owed; adding a new section to chapter 49.48 RCW; and providing an expiration date.

Referred to Committee on Labor & Commerce.

HB 2120 by Representatives Barnard, Shavers, Graham and Wylie

AN ACT Relating to tax preferences for clean energy manufacturers; amending RCW 84.25.110; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SHB 2226 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Ortiz-Self, Berry, Gregerson, Ramel, Santos, Reeves, Reed and Davis)

AN ACT Relating to collecting data on the H-2A worker program and from certain hand harvesters; adding a new section to chapter 50.75 RCW; adding a new section to chapter 50.38 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SHB 2335 by House Committee on Education (originally sponsored by Representatives Santos, Lekanoff, Nance and Reed)

AN ACT Relating to state-tribal education compacts; and amending RCW 28A.715.010 and 28A.715.020.

Referred to Committee on Early Learning & K-12 Education.

HB 2371 by Representatives Cheney and Walen

AN ACT Relating to clarifying the rules surrounding the removal of political advertising; amending RCW 29A.84.040; and creating a new section.

Referred to Committee on State Government & Elections.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Rivers moved adoption of the following resolution:

SENATE RESOLUTION 8655

By Senators Rivers, Nobles, Hunt, Dhingra, Lovick, MacEwen, Dozier, Hansen, Warnick, Boehnke, Hasegawa, Short, Keiser, Conway, Kuderer, Torres, Robinson, Braun, Cleveland, C. Wilson, and Mullet

WHEREAS, Pete Carroll began his National Football League head coaching career with the New York Jets in the 1994 season and then coached the New England Patriots from 1997 to 1999; and

WHEREAS, Pete Carroll then spent nine seasons as the head coach at the University of Southern California, where he won seven consecutive Pac-10 titles and two national championships, and he led the Trojans to a 97-19 record; and

WHEREAS, Pete Carroll was named head coach of the Seattle Seahawks on January 11th, 2010; and

WHEREAS, On February 2nd, 2014, Pete Carroll led Seattle to its first Super Bowl title in franchise history with a resounding 43-8 victory over the Denver Broncos in Super Bowl 48, earning him a beloved spot in the hearts of Seahawks fans, the 12s, throughout the Northwest; and

WHEREAS, After 14 seasons, 10 playoff appearances, and the team's only Super Bowl championship, it was announced on January 10th, 2024, that Pete Carroll will no longer be the Seattle Seahawks head coach; and

WHEREAS, Pete Carroll is one of only three coaches to win a Super Bowl and a college football national championship, with Jimmy Johnson and Barry Switzer being the first two; and

WHEREAS, In his 14 seasons as the Seahawks' coach, Pete Carroll compiled a regular season record of 137-89-1 and a playoff record of 10-9; and

WHEREAS, Pete Carroll's overall NFL coaching record is 181-131-1 and his 181 combined wins, regular and postseason, are the 14th most in NFL history; and

WHEREAS, Pete Carroll prides himself on inclusive leadership and the ability to create an atmosphere of

understanding by empowering his players to be themselves, making them feel heard; and

WHEREAS, Pete Carroll approaches coaching and leadership through compassion and love, which goes beyond just the football field but also in helping other people reach their full potential; and

WHEREAS, Pete Carroll's passion for working with people has gone beyond the football field but also within the community, as he founded philanthropic efforts in Seattle, Los Angeles, and around the country; and

WHEREAS, While at the University of Southern California, Pete Carroll started both in Los Angeles and Seattle a community-based street outreach team to help the youth who have been impacted by gangs and the juvenile justice system;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and congratulate Pete Carroll, not only for his memorable and rewarding 14 seasons as the Seattle Seahawks head coach, but also for his dedication to making the world around him a better place; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Pete Carroll.

Senators Rivers, Warnick, Hawkins and Nobles spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8655.

The motion by Senator Rivers carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Robinson moved that Drew Shirk, Senate Gubernatorial Appointment No. 9357, be confirmed as Director of the Department of Revenue.

Senators Robinson and MacEwen spoke in favor of passage of the motion.

MOTIONS

On motion of Senator Nobles, Senator Salomon was excused.

On motion of Senator Wagoner, Senator Fortunato was excused.

APPOINTMENT OF DREW SHIRK

The President declared the question before the Senate to be the confirmation of Drew Shirk, Senate Gubernatorial Appointment No. 9357, as Director of the Department of Revenue.

The Secretary called the roll on the confirmation of Drew Shirk, Senate Gubernatorial Appointment No. 9357, as Director of the Department of Revenue and the appointment was confirmed by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen,

Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Schoesler

Excused: Senator Fortunato

Drew Shirk, Senate Gubernatorial Appointment No. 9357, having received the constitutional majority was declared confirmed as Director of the Department of Revenue.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Raymond L. Delos Reyes, Senate Gubernatorial Appointment No. 9380, be confirmed as a member of the Clemency and Pardons Board.

Senator Wilson, C. spoke in favor of the motion.

MOTION

On motion of Senator Nobles, Senator Salomon was excused.

APPOINTMENT OF RAYMOND L. DELOS REYES

The President declared the question before the Senate to be the confirmation of Raymond L. Delos Reyes, Senate Gubernatorial Appointment No. 9380, as a member of the Clemency and Pardons Board.

The Secretary called the roll on the confirmation of Raymond L. Delos Reyes, Senate Gubernatorial Appointment No. 9380, as a member of the Clemency and Pardons Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Salomon

Raymond L. Delos Reyes, Senate Gubernatorial Appointment No. 9380, having received the constitutional majority was declared confirmed as a member of the Clemency and Pardons Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Heather Moss Rich, Senate Gubernatorial Appointment No. 9404, be confirmed as a member of the Bates Technical College Board of Trustees.

Senator Trudeau spoke in favor of the motion.

APPOINTMENT OF HEATHER MOSS RICH

The President declared the question before the Senate to be the confirmation of Heather Moss Rich, Senate Gubernatorial

THIRTY THIRD DAY, FEBRUARY 9, 2024

Appointment No. 9404, as a member of the Bates Technical College Board of Trustees.

The Secretary called the roll on the confirmation of Heather Moss Rich, Senate Gubernatorial Appointment No. 9404, as a member of the Bates Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator McCune

Heather Moss Rich, Senate Gubernatorial Appointment No. 9404, having received the constitutional majority was declared confirmed as a member of the Bates Technical College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Scott A. Merriman, Senate Gubernatorial Appointment No. 9413, be confirmed as a member of the Parks and Recreation Commission.

Senator Hunt spoke in favor of the motion.

APPOINTMENT OF SCOTT A. MERRIMAN

The President declared the question before the Senate to be the confirmation of Scott A. Merriman, Senate Gubernatorial Appointment No. 9413, as a member of the Parks and Recreation Commission.

The Secretary called the roll on the confirmation of Scott A. Merriman, Senate Gubernatorial Appointment No. 9413, as a member of the Parks and Recreation Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Scott A. Merriman, Senate Gubernatorial Appointment No. 9413, having received the constitutional majority was declared confirmed as a member of the Parks and Recreation Commission.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6036, by Senators Muzzall, Braun, Liias, Nobles, and Van De Wege

Concerning agriculture pest and disease response.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 6036 was substituted for Senate Bill No. 6036 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6036, by Senate Committee on Ways & Means (originally sponsored by Muzzall, Braun, Liias, Nobles, and Van De Wege)

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 6036 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6036.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6036 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6036, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5853, by Senators Dhingra, Wagoner, Frame, Hasegawa, Kuderer, Lovelett, Lovick, Muzzall, Nguyen, Nobles, Shewmake, Stanford, Torres, Valdez, and Wilson, C.

Extending the crisis relief center model to provide behavioral health crisis services for minors.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5853 was substituted for Senate Bill No. 5853 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5853, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner, Frame, Hasegawa, Kuderer, Lovelett, Lovick, Muzzall, Nguyen, Nobles, Shewmake, Stanford, Torres, Valdez, and Wilson, C.)

Senator Dhingra moved that the following amendment no. 576 by Senator Dhingra be adopted:

On page 12, line 15, after "separate" insert "internal"

Senator Dhingra spoke in favor of adoption of the amendment. The President declared the question before the Senate to be the adoption of amendment no. 576 by Senator Dhingra on page 12, line 15 to Second Substitute Senate Bill No. 5853.

The motion by Senator Dhingra carried and amendment no. 576 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5853 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5853.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5853 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5853, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6251, by Senators Dhingra, Keiser, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Robinson, Saldaña, Trudeau, Valdez, Wellman, C. Wilson, and J. Wilson

Coordinating regional behavioral crisis response and suicide prevention services.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 6251 was substituted for Senate Bill No. 6251 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6251, by Committee on Ways & Means (originally sponsored by Senators Dhingra, Keiser, Kuderer, Lovelett, Lovick, Nguyen, Nobles,

Robinson, Saldaña, Trudeau, Valdez, Wellman, C. Wilson, and J. Wilson)

Revised for Second Substitute: Coordinating regional behavioral crisis response services.

Senator Dhingra moved that the following striking amendment no. 556 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 71.24 RCW to read as follows:

Behavioral health administrative services organizations shall use their authorities under RCW 71.24.045 to establish coordination within the behavioral health crisis response system in each regional service area including, but not limited to, establishing comprehensive protocols for dispatching mobile rapid response crisis teams and community-based crisis teams. In furtherance of this:

(1) The behavioral health administrative services organization may convene regional behavioral health crisis response system partners and stakeholders within available resources for the purpose of establishing clear regional protocols which memorialize expectations, understandings, lines of communication, and strategies for optimizing crisis response in the regional service area. The regional protocols must describe how crisis response partners will share information consistent with data-sharing requirements under RCW 71.24.890, including real-time information sharing between 988 contact hubs, regional crisis lines, or their successors, to create a seamless delivery system that is person-centered;

(2) Behavioral health administrative services organizations shall submit regional protocols created under subsection (1) of this section to the authority for approval. If the authority does not respond within 90 days of submission, the regional protocols shall be considered approved until such time as the behavioral health administrative services organization and the authority agree to updated protocols. A behavioral health administrative services organization must notify the authority by January 1, 2025, if it does not intend to develop and submit regional protocols;

(3) A behavioral health administrative services organization may recommend to the department the 988 contact hub or hubs which it determines to be the best fit for partnership and implementation of regional protocols in its regional service area among candidates which are able to meet necessary state and federal requirements. The 988 contact hub or hubs recommended by the behavioral health administrative services organization must be able to connect to the culturally appropriate behavioral health crisis response services established under this chapter;

(4) The department may designate additional 988 contact hubs recommended by a behavioral health administrative services organization within available resources and when the addition of more hubs is consistent with the rules adopted under RCW 71.24.890 and a need identified in regional protocols. If the department declines to designate a 988 contact hub that has been recommended by a behavioral health administrative services organization, the department shall provide a written explanation of its reasons to the behavioral health administrative services organization;

(5) The department and the authority shall provide support to a behavioral health administrative services organization in the development of protocols under subsection (1) of this section upon request by the behavioral health administrative services organization;

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(6) Regional protocols established under subsection (1) of this section must be in writing and, once approved, copies shall be provided to the department, authority, and state 911 coordination office. The regional protocols should be updated as needed and at intervals of no longer than three years; and

(7) For the purpose of subsection (1) of this section, partners and stakeholders in the coordinated regional behavioral health crisis response system include but are not limited to regional crisis lines, 988 contact hubs, certified public safety telecommunicators, local governments, tribal governments, first responders, co-response teams, hospitals, organizations representing persons with lived experience, and behavioral health agencies.

Sec. 2. RCW 71.24.025 and 2023 c 454 s 1 and 2023 c 433 s 1 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "23-hour crisis relief center" means a community-based facility or portion of a facility serving adults, which is licensed or certified by the department of health and open 24 hours a day, seven days a week, offering access to mental health and substance use care for no more than 23 hours and 59 minutes at a time per patient, and which accepts all behavioral health crisis walk-ins drop-offs from first responders, and individuals referred through the 988 system regardless of behavioral health acuity, and meets the requirements under RCW 71.24.916.

(2) "988 crisis hotline" means the universal telephone number within the United States designated for the purpose of the national suicide prevention and mental health crisis hotline system operating through the national suicide prevention lifeline.

(3) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(4) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program licensed or certified by the department as meeting standards adopted under this chapter.

(6) "Authority" means the Washington state health care authority.

(7) "Available resources" means funds appropriated for the purpose of providing community behavioral health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other behavioral health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(8) "Behavioral health administrative services organization" means an entity contracted with the authority to administer behavioral health services and programs under RCW 71.24.381, including crisis services and administration of chapter 71.05

RCW, the involuntary treatment act, for all individuals in a defined regional service area.

(9) "Behavioral health aide" means a counselor, health educator, and advocate who helps address individual and community-based behavioral health needs, including those related to alcohol, drug, and tobacco abuse as well as mental health problems such as grief, depression, suicide, and related issues and is certified by a community health aide program of the Indian health service or one or more tribes or tribal organizations consistent with the provisions of 25 U.S.C. Sec. 1616l and RCW 43.71B.010 (7) and (8).

(10) "Behavioral health provider" means a person licensed under chapter 18.57, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(11) "Behavioral health services" means mental health services, substance use disorder treatment services, and co-occurring disorder treatment services as described in this chapter and chapter 71.36 RCW that, depending on the type of service, are provided by licensed or certified behavioral health agencies, behavioral health providers, or integrated into other health care providers.

(12) "Child" means a person under the age of eighteen years.

(13) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the authority by rule consistent with Public Law 92-603, as amended.

(14) "Clubhouse" means a community-based program that provides rehabilitation services and is licensed or certified by the department.

(15) "Community behavioral health program" means all expenditures, services, activities, or programs, including reasonable administration and overhead, designed and conducted to prevent or treat substance use disorder, mental illness, or both in the community behavioral health system.

(16) "Community behavioral health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders, substance use disorders, or both, as defined under RCW 71.05.020 and receive funding from public sources.

(17) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally or behaviorally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services

determined by behavioral health administrative services organizations.

(18) "Community-based crisis team" means a team that is part of an emergency medical services agency, a fire service agency, a public health agency, a medical facility, a nonprofit crisis response provider, or a city or county government entity, other than a law enforcement agency, that provides the on-site community-based interventions of a mobile rapid response crisis team for individuals who are experiencing a behavioral health crisis.

(19) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(20) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a behavioral health administrative services organization, or two or more of the county authorities specified in this subsection which have entered into an agreement to establish a behavioral health administrative services organization.

(21) "Crisis stabilization services" means services such as 23-hour crisis relief centers, crisis stabilization units, short-term respite facilities, peer-run respite services, and same-day walk-in behavioral health services, including within the overall crisis system components that operate like hospital emergency departments that accept all walk-ins, and ambulance, fire, and police drop-offs, or determine the need for involuntary hospitalization of an individual.

(22) "Crisis stabilization unit" has the same meaning as under RCW 71.05.020.

(23) "Department" means the department of health.

(24) "Designated 988 contact hub" or "988 contact hub" means a state-designated contact center that streamlines clinical interventions and access to resources for people experiencing a behavioral health crisis and participates in the national suicide prevention lifeline network to respond to statewide or regional 988 contacts that meets the requirements of RCW 71.24.890.

(25) "Designated crisis responder" has the same meaning as in RCW 71.05.020.

(26) "Director" means the director of the authority.

(27) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(28) "Early adopter" means a regional service area for which all of the county authorities have requested that the authority purchase medical and behavioral health services through a managed care health system as defined under RCW 71.24.380(7).

(29) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (30) of this section.

(30) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow

successful replication in Washington and, when possible, is determined to be cost-beneficial.

(31) "First responders" includes ambulance, fire, mobile rapid response crisis team, coresponder team, designated crisis responder, fire department mobile integrated health team, community assistance referral and education services program under RCW 35.21.930, and law enforcement personnel.

(32) "Indian health care provider" means a health care program operated by the Indian health service or by a tribe, tribal organization, or urban Indian organization as those terms are defined in the Indian health care improvement act (25 U.S.C. Sec. 1603).

(33) "Intensive behavioral health treatment facility" means a community-based specialized residential treatment facility for individuals with behavioral health conditions, including individuals discharging from or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment under chapter 71.05 RCW, but whose care needs cannot be met in other community-based placement settings.

(34) "Licensed or certified behavioral health agency" means:

(a) An entity licensed or certified according to this chapter or chapter 71.05 RCW;

(b) An entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department; or

(c) An entity with a tribal attestation that it meets state minimum standards for a licensed or certified behavioral health agency.

(35) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(36) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(37) "Managed care organization" means an organization, having a certificate of authority or certificate of registration from the office of the insurance commissioner, that contracts with the authority under a comprehensive risk contract to provide prepaid health care services to enrollees under the authority's managed care programs under chapter 74.09 RCW.

(38) "Mental health peer-run respite center" means a peer-run program to serve individuals in need of voluntary, short-term, noncrisis services that focus on recovery and wellness.

(39) Mental health "treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department of social and health services or the authority, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, or by treatment facilities. "Treatment records" do not include notes or records maintained for personal use by a person providing treatment services for the entities listed in this subsection, or a treatment facility if the notes or records are not available to others.

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(40) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (3), (13), (48), and (49) of this section.

(41) "Mobile rapid response crisis team" means a team that provides professional on-site community-based intervention such as outreach, de-escalation, stabilization, resource connection, and follow-up support for individuals who are experiencing a behavioral health crisis, that shall include certified peer counselors as a best practice to the extent practicable based on workforce availability, and that meets standards for response times established by the authority.

(42) "Recovery" means a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.

(43) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (30) of this section but does not meet the full criteria for evidence-based.

(44) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, residential treatment facilities, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(45) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(46) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined by a behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated crisis responders, evaluation and treatment facilities, and others as determined by the behavioral health administrative services organization or managed care organization, as applicable.

(47) "Secretary" means the secretary of the department of health.

(48) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(49) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health administrative services organization or managed care organization, if applicable, to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

(50) "State minimum standards" means minimum requirements established by rules adopted and necessary to implement this chapter by:

(a) The authority for:

(i) Delivery of mental health and substance use disorder services; and

(ii) Community support services and resource management services;

(b) The department of health for:

(i) Licensed or certified behavioral health agencies for the purpose of providing mental health or substance use disorder programs and services, or both;

(ii) Licensed behavioral health providers for the provision of mental health or substance use disorder services, or both; and

(iii) Residential services.

(51) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use

disorder is based on a pathological pattern of behaviors related to the use of the substances.

(52) "Tribe," for the purposes of this section, means a federally recognized Indian tribe.

(53) "Coordinated regional behavioral health crisis response system" means the coordinated operation of 988 call centers, regional crisis lines, certified public safety telecommunicators, and other behavioral health crisis system partners within each regional service area.

(54) "Regional crisis line" means the behavioral health crisis hotline in each regional service area which provides crisis response services 24 hours a day, seven days a week, 365 days a year including but not limited to dispatch of mobile rapid response crisis teams, community-based crisis teams, and designated crisis responders.

Sec. 3. RCW 71.24.045 and 2022 c 210 s 27 are each amended to read as follows:

(1) The behavioral health administrative services organization contracted with the authority pursuant to RCW 71.24.381 shall:

(a) Administer crisis services for the assigned regional service area. Such services must include:

(i) A behavioral health crisis hotline for its assigned regional service area;

(ii) Crisis response services twenty-four hours a day, seven days a week, three hundred sixty-five days a year;

(iii) Services related to involuntary commitments under chapters 71.05 and 71.34 RCW;

(iv) Tracking of less restrictive alternative orders issued within the region by superior courts, and providing notification to a managed care organization in the region when one of its enrollees receives a less restrictive alternative order so that the managed care organization may ensure that the person is connected to services and that the requirements of RCW 71.05.585 are complied with. If the person receives a less restrictive alternative order and is returning to another region, the behavioral health administrative services organization shall notify the behavioral health administrative services organization in the home region of the less restrictive alternative order so that the home behavioral health administrative services organization may notify the person's managed care organization or provide services if the person is not enrolled in medicaid and does not have other insurance which can pay for those services;

(v) Additional noncrisis behavioral health services, within available resources, to individuals who meet certain criteria set by the authority in its contracts with the behavioral health administrative services organization. These services may include services provided through federal grant funds, provisos, and general fund state appropriations;

(vi) Care coordination, diversion services, and discharge planning for nonmedicaid individuals transitioning from state hospitals or inpatient settings to reduce rehospitalization and utilization of crisis services, as required by the authority in contract; ~~(and)~~

(vii) Regional coordination, cross-system and cross-jurisdiction coordination with tribal governments, and capacity building efforts, such as supporting the behavioral health advisory board and efforts to support access to services or to improve the behavioral health system; and

(viii) Duties under section 1 of this act;

(b) Administer and provide for the availability of an adequate network of evaluation and treatment services to ensure access to treatment, investigation, transportation, court-related, and other services provided as required under chapter 71.05 RCW;

(c) Coordinate services for individuals under RCW 71.05.365;

(d) Administer and provide for the availability of resource management services, residential services, and community support services as required under its contract with the authority;

(e) Contract with a sufficient number, as determined by the authority, of licensed or certified providers for crisis services and other behavioral health services required by the authority;

(f) Maintain adequate reserves or secure a bond as required by its contract with the authority;

(g) Establish and maintain quality assurance processes;

(h) Meet established limitations on administrative costs for agencies that contract with the behavioral health administrative services organization; and

(i) Maintain patient tracking information as required by the authority.

(2) The behavioral health administrative services organization must collaborate with the authority and its contracted managed care organizations to develop and implement strategies to coordinate care with tribes and community behavioral health providers for individuals with a history of frequent crisis system utilization.

(3) The behavioral health administrative services organization shall:

(a) Assure that the special needs of minorities, older adults, individuals with disabilities, children, and low-income persons are met;

(b) Collaborate with local government entities to ensure that policies do not result in an adverse shift of persons with mental illness into state and local correctional facilities; and

(c) Work with the authority to expedite the enrollment or reenrollment of eligible persons leaving state or local correctional facilities and institutions for mental diseases.

(4) The behavioral health administrative services organization shall employ an assisted outpatient treatment program coordinator to oversee system coordination and legal compliance for assisted outpatient treatment under RCW 71.05.148 and 71.34.815.

Sec. 4. RCW 71.24.890 and 2023 c 454 s 5 and 2023 c 433 s 16 are each reenacted and amended to read as follows:

(1) Establishing the state designated 988 contact hubs and enhancing the crisis response system will require collaborative work between the department ~~((and))~~, the authority, and regional system partners within their respective roles. The department shall have primary responsibility for ~~((establishing and))~~ designating ~~((the designated))~~ 988 contact hubs, and shall seek recommendations from the behavioral health administrative services organizations to determine which 988 contact hubs best meet regional needs. The authority shall have primary responsibility for developing ~~((and))~~, implementing, and facilitating coordination of the crisis response system and services to support the work of the designated 988 contact hubs, regional crisis lines, and other coordinated regional behavioral health crisis response system partners. In any instance in which one agency is identified as the lead, the expectation is that agency will ~~((be communicating and collaborating))~~ communicate and collaborate with the other to ensure seamless, continuous, and effective service delivery within the statewide crisis response system.

(2) The department shall provide adequate funding for the state's crisis call centers to meet an expected increase in the use of the ~~((call centers))~~ 988 contact hubs based on the implementation of the 988 crisis hotline. The funding level shall be established at a level anticipated to achieve an in-state call response rate of at least 90 percent by July 22, 2022. The funding level shall be determined by considering standards and cost per call predictions provided by the administrator of the national

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suicide prevention lifeline, call volume predictions, guidance on crisis call center performance metrics, and necessary technology upgrades. ~~(In contracting)~~ Contracts with the (crisis call centers, the department) 988 contact hubs:

(a) May provide funding to support regional crisis (call centers) lines administered by behavioral health administrative services organizations and designated 988 contact hubs to enter into limited on-site partnerships with the public safety answering point to increase the coordination and transfer of behavioral health calls received by certified public safety telecommunicators that are better addressed by clinic interventions provided by the ~~(988)~~ coordinated regional behavioral health crisis response system. Tax revenue may be used to support on-site partnerships;

(b) Shall require that ~~(crisis call centers)~~ 988 contact hubs enter into data-sharing agreements, when appropriate, with the department, the authority, regional crisis lines, and applicable regional behavioral health administrative services organizations to provide reports and client level data regarding 988 ~~(crisis hotline)~~ contact hub calls, as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information ~~(including)~~. Data-sharing agreements with regional crisis lines must include real-time information sharing. All coordinated regional behavioral health crisis response system partners must share dispatch time, arrival time, and disposition ~~(of the outreach for each call)~~ for behavioral health calls referred for outreach by each region consistent with any regional protocols developed under section 1 of this act. The department and the authority shall establish requirements ~~(that the crisis call centers)~~ for 988 contact hubs to report (the) data (identified in this subsection (2)(b)) to regional behavioral health administrative services organizations for the purposes of maximizing medicaid reimbursement, as appropriate, and implementing this chapter and chapters 71.05 and 71.34 RCW (including, but not limited to). The behavioral health administrative services organization may use information received from the 988 contact hubs in administering crisis services for the assigned regional service area, contracting with a sufficient number of licensed or certified providers for crisis services, establishing and maintaining quality assurance processes, maintaining patient tracking, and developing and implementing strategies to coordinate care for individuals with a history of frequent crisis system utilization.

(3) The department shall adopt rules by January 1, 2025, to establish standards for designation of crisis call centers as designated 988 contact hubs. The department shall collaborate with the authority ~~(and)~~, other agencies, and coordinated regional behavioral health crisis response system partners to assure coordination and availability of services, and shall consider national guidelines for behavioral health crisis care as determined by the federal substance abuse and mental health services administration, national behavioral health accrediting bodies, and national behavioral health provider associations to the extent they are appropriate, and recommendations from behavioral health administrative services organizations and the crisis response improvement strategy committee created in RCW 71.24.892.

(4) The department shall designate ~~(designated)~~ 988 contact hubs considering the recommendations of behavioral health administrative services organizations by January 1, 2026. The designated 988 contact hubs shall provide connections to crisis intervention services, triage, care coordination, and referrals (and connections to) for individuals contacting the 988 ~~(crisis hotline)~~ contact hubs from any jurisdiction within Washington 24 hours a day, seven days a week, using the system platform developed under subsection (5) of this section.

(a) To be designated as a ~~(designated)~~ 988 contact hub, the applicant must demonstrate to the department the ability to comply with the requirements of this section and to contract to provide ~~(designated)~~ 988 contact hub services. ~~(The department may revoke the designation of any designated 988 contact hub that fails to substantially comply with the contract)~~ If a 988 contact hub fails to substantially comply with the contract, data-sharing requirements, or approved regional protocols developed under section 1 of this act, the department shall revoke the designation of the 988 contact hub and, after consulting with the affected behavioral health administrative services organization, may designate a 988 contact hub recommended by a behavioral health administrative services organization which is able to meet necessary state and federal requirements.

(b) The contracts entered shall require designated 988 contact hubs to:

(i) Have an active agreement with the administrator of the national suicide prevention lifeline for participation within its network;

(ii) Meet the requirements for operational and clinical standards established by the department and based upon the national suicide prevention lifeline best practices guidelines and other recognized best practices;

(iii) Employ highly qualified, skilled, and trained clinical staff who have sufficient training and resources to provide empathy to callers in acute distress, de-escalate crises, assess behavioral health disorders and suicide risk, triage to system partners for callers that need additional clinical interventions, and provide case management and documentation. Call center staff shall be trained to make every effort to resolve cases in the least restrictive environment and without law enforcement involvement whenever possible. Call center staff shall coordinate with certified peer counselors to provide follow-up and outreach to callers in distress as available. It is intended for transition planning to include a pathway for continued employment and skill advancement as needed for experienced crisis call center employees;

(iv) Train employees on agricultural community cultural competencies for suicide prevention, which may include sharing resources with callers that are specific to members from the agricultural community. The training must prepare staff to provide appropriate assessments, interventions, and resources to members of the agricultural community. Employees may make warm transfers and referrals to a crisis hotline that specializes in working with members from the agricultural community, provided that no person contacting 988 shall be transferred or referred to another service if they are currently in crisis and in need of emotional support;

(v) Prominently display 988 crisis hotline information on their websites and social media, including a description of what the caller should expect when contacting the crisis call center and a description of the various options available to the caller, including call lines specialized in the behavioral health needs of veterans, American Indian and Alaska Native persons, Spanish-speaking persons, and LGBTQ populations. The website may also include resources for programs and services related to suicide prevention for the agricultural community;

(vi) Collaborate with the authority, the national suicide prevention lifeline, and veterans crisis line networks to assure consistency of public messaging about the 988 crisis hotline;

(vii) ~~(Develop and submit to the department protocols between the designated 988 contact hub and 911 call centers within the region in which the designated crisis call center operates and~~

receive approval of the protocols by the department and the state 911 coordination office;

~~(viii) Develop, in collaboration with the region's behavioral health administrative services organizations, and jointly submit to the authority)) Collaborate with coordinated regional behavioral health crisis response system partners within the 988 contact hub's regional service area to develop protocols under section 1 of this act, including protocols related to the dispatching of mobile rapid response crisis teams and community-based crisis teams endorsed under RCW 71.24.903 ((and receive approval of the protocols by the authority));~~

~~((ix)) (viii)~~ Provide data and reports and participate in evaluations and related quality improvement activities, according to standards established by the department in collaboration with the authority; and

~~((x)) (ix)~~ Enter into data-sharing agreements with the department, the authority, regional crisis lines, and applicable ~~((regional))~~ behavioral health administrative services organizations to provide reports and client level data regarding 988 ~~((crisis-hotline))~~ contact hub calls, as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information, ~~((including dispatch time, arrival time, and disposition of the outreach for each call referred for outreach by each region))~~ which shall include sharing real-time information with regional crisis lines. The department and the authority shall establish requirements that the designated 988 contact hubs report ~~((the))~~ data ~~((identified in this subsection (4)(b)(x))~~ to regional behavioral health administrative services organizations for the purposes of maximizing medicaid reimbursement, as appropriate, and implementing this chapter and chapters 71.05 and 71.34 RCW including, but not limited to, administering crisis services for the assigned regional service area, contracting with a sufficient number ~~((of))~~ of licensed or certified providers for crisis services, establishing and maintaining quality assurance processes, maintaining patient tracking, and developing and implementing strategies to coordinate care for individuals with a history of frequent crisis system utilization.

(c) The department and the authority shall incorporate recommendations from the crisis response improvement strategy committee created under RCW 71.24.892 in its agreements with designated 988 contact hubs, as appropriate.

(5) The department and authority must coordinate to develop the technology and platforms necessary to manage and operate the behavioral health crisis response and suicide prevention system. The department and the authority must include ~~((the crisis call centers and))~~ designated 988 contact hubs, regional crisis lines, and behavioral health administrative services organizations in the decision-making process for selecting any technology platforms that will be used to operate the system. No decisions made by the department or the authority shall interfere with the routing of the 988 ~~((crisis-hotline))~~ contact hubs calls, texts, or chat as part of Washington's active agreement with the administrator of the national suicide prevention lifeline or 988 administrator that routes 988 contacts into Washington's system. The technologies developed must include:

(a) A new technologically advanced behavioral health and suicide prevention crisis call center system platform for use in ~~((designated))~~ 988 contact hubs designated by the department under subsection (4) of this section. This platform, which shall be fully funded by July 1, 2024, shall be developed by the department and must include the capacity to receive crisis assistance requests through phone calls, texts, chats, and other similar methods of communication that may be developed in the

future that promote access to the behavioral health crisis system; and

(b) A behavioral health integrated client referral system capable of providing system coordination information to designated 988 contact hubs and the other entities involved in behavioral health care. This system shall be developed by the authority.

(6) In developing the new technologies under subsection (5) of this section, the department and the authority must coordinate to designate a primary technology system to provide each of the following:

(a) Access to real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services, including:

(i) Real-time bed availability for all behavioral health bed types and recliner chairs, including but not limited to crisis stabilization services, 23-hour crisis relief centers, psychiatric inpatient, substance use disorder inpatient, withdrawal management, peer-run respite centers, and crisis respite services, inclusive of both voluntary and involuntary beds, for use by crisis response workers, first responders, health care providers, emergency departments, and individuals in crisis; and

(ii) Real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services for a person, including the means to access:

(A) Information about any less restrictive alternative treatment orders or mental health advance directives related to the person; and

(B) Information necessary to enable the designated 988 contact ~~((hub))~~ hubs to actively collaborate with regional crisis lines, emergency departments, primary care providers and behavioral health providers within managed care organizations, behavioral health administrative services organizations, and other health care payers to establish a safety plan for the person in accordance with best practices and provide the next steps for the person's transition to follow-up noncrisis care. To establish information-sharing guidelines that fulfill the intent of this section the authority shall consider input from the confidential information compliance and coordination subcommittee established under RCW 71.24.892;

~~((b))~~ (b) The means to track the outcome of the 988 call to enable appropriate follow-up, cross-system coordination, and accountability, including as appropriate: (i) Any immediate services dispatched and reports generated from the encounter; (ii) the validation of a safety plan established for the caller in accordance with best practices; (iii) the next steps for the caller to follow in transition to noncrisis follow-up care, including a next-day appointment for callers experiencing urgent, symptomatic behavioral health care needs; and (iv) the means to verify and document whether the caller was successful in making the transition to appropriate noncrisis follow-up care indicated in the safety plan for the person, to be completed either by the care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the designated 988 contact hub;

(c) A means to facilitate actions to verify and document whether the person's transition to follow-up noncrisis care was completed and services offered, to be performed by a care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the designated 988 contact hub;

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(d) The means to provide geographically, culturally, and linguistically appropriate services to persons who are part of high-risk populations or otherwise have need of specialized services or accommodations, and to document these services or accommodations; and

(e) When appropriate, consultation with tribal governments to ensure coordinated care in government-to-government relationships, and access to dedicated services to tribal members.

(7) The authority shall:

(a) Collaborate with county authorities and behavioral health administrative services organizations to develop procedures to dispatch behavioral health crisis services in coordination with designated 988 contact hubs to effectuate the intent of this section;

(b) Establish formal agreements with managed care organizations and behavioral health administrative services organizations by January 1, 2023, to provide for the services, capacities, and coordination necessary to effectuate the intent of this section, which shall include a requirement to arrange next-day appointments for persons contacting the 988 ~~((crisis hotline))~~ contact hub or a regional crisis line experiencing urgent, symptomatic behavioral health care needs with geographically, culturally, and linguistically appropriate primary care or behavioral health providers within the person's provider network, or, if uninsured, through the person's behavioral health administrative services organization;

(c) Create best practices guidelines by July 1, 2023, for deployment of appropriate and available crisis response services by behavioral health administrative services organizations in coordination with designated 988 contact hubs to assist 988 hotline callers to minimize nonessential reliance on emergency room services and the use of law enforcement, considering input from relevant stakeholders and recommendations made by the crisis response improvement strategy committee created under RCW 71.24.892;

(d) Develop procedures to allow appropriate information sharing and communication between and across crisis and emergency response systems for the purpose of real-time crisis care coordination including, but not limited to, deployment of crisis and outgoing services, follow-up care, and linked, flexible services specific to crisis response; and

(e) Establish guidelines to appropriately serve high-risk populations who request crisis services. The authority shall design these guidelines to promote behavioral health equity for all populations with attention to circumstances of race, ethnicity, gender, socioeconomic status, sexual orientation, and geographic location, and include components such as training requirements for call response workers, policies for transferring such callers to an appropriate specialized center or subnetwork within or external to the national suicide prevention lifeline network, and procedures for referring persons who access the 988 ~~((crisis hotline))~~ contact hubs to linguistically and culturally competent care.

(8) The department shall monitor trends in 988 crisis hotline caller data, as reported by designated 988 contact hubs under subsection (4)(b)~~((*)~~ ~~((ix))~~ of this section, and submit an annual report to the governor and the appropriate committees of the legislature summarizing the data and trends beginning December 1, 2027."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 71.24.045; reenacting and amending RCW 71.24.025 and 71.24.890; and adding a new section to chapter 71.24 RCW."

Senator Dhingra spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 556 by Senator Dhingra to Second Substitute Senate Bill No. 6251.

The motion by Senator Dhingra carried and striking amendment no. 556 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6251 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6251.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6251 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5780, by Senators Torres, Dhingra, Padden, Boehnke, L. Wilson, Braun, Frame, Hasegawa, Kuderer, Lovick, Mullet, Nguyen, Warnick, and J. Wilson

Expanding training opportunities for public defense.

MOTIONS

On motion of Senator Torres, Second Substitute Senate Bill No. 5780 was substituted for Senate Bill No. 5780 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5780, by Committee on Ways & Means (originally sponsored by Senators Torres, Dhingra, Padden, Boehnke, L. Wilson, Braun, Frame, Hasegawa, Kuderer, Lovick, Mullet, Nguyen, Warnick, and J. Wilson)

Revised for Second Substitute: Encouraging participation in public defense and prosecution professions.

On motion of Senator Torres, the rules were suspended, Second Substitute Senate Bill No. 5780 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres, Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5780.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5780 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5780, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5938, by Senators Wilson, C., Lovelett, Frame, Hasegawa, Kuderer, Nguyen, Nobles, and Wellman

Modifying the community parenting alternative for eligible participants in the residential parenting program at the department of corrections.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5938 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5938.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5938 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5938, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6095, by Senators Robinson and Valdez

Establishing clear authority for the secretary of health to issue standing orders.

The measure was read the second time.

MOTION

Senator Rivers moved that the following amendment no. 627 by Senator Rivers be adopted:

On page 2, line 8, after "section" insert ", other than for acts or omissions constituting gross negligence or willful or wanton misconduct"

Senators Rivers and Robinson spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 627 by Senator Rivers on page 2, line 8 to Senate Bill No. 6095.

The motion by Senator Rivers carried and amendment no. 627 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, amendment no. 625 by Senator Short on page 4, line 3 to Senate Bill No. 6095 was withdrawn.

MOTION

Senator Wilson, L. moved that the following amendment no. 626 by Senator Wilson, L. be adopted:

On page 4, after line 3, insert the following:

"(10) Nothing in this section shall be construed to allow the secretary or the secretary's designee to issue a standing order to require a person to take a drug or biological product or withhold a drug or biological product from a person."

Senators Wilson, L. and Robinson spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 626 by Senator Wilson, L. on page 4, after line 3 to Senate Bill No. 6095.

The motion by Senator Wilson, L. carried and amendment no. 626 was adopted by voice vote.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Senate Bill No. 6095 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Rivers spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

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The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6095.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6095 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 6095, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5816, by Senators Van De Wege, Trudeau, Mullet, and Nguyen

Concerning alcohol server permits.

The measure was read the second time.

MOTION

Senator Van De Wege moved that the following amendment no. 621 by Senator Van De Wege be adopted:

On page 2, line 35, after "this state" strike "or" and insert "~~(or)~~."

On page 2, line 36, after "felony" insert "under chapter 9A.40, 9A.44, 9A.46, 9A.86, or 9A.88 RCW, or a felony"

Senators Van De Wege and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 621 by Senator Van De Wege on page 2, line 35 to Senate Bill No. 5816.

The motion by Senator Van De Wege carried and amendment no. 621 was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Engrossed Senate Bill No. 5816 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5816.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5816 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5816, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6228, by Senators Dhingra, Hasegawa, Kuderer, Lovelett, Nobles, Randall, Shewmake, Valdez, and Wilson, C.

Concerning treatment of substance use disorders.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 6228 was substituted for Senate Bill No. 6228 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6228, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Hasegawa, Kuderer, Lovelett, Nobles, Randall, Shewmake, Valdez, and Wilson, C.)

On motion of Senator Dhingra, the rules were suspended, Second Substitute Senate Bill No. 6228 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6228.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6228 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 6228, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:32 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

 AFTERNOON SESSION

The Senate was called to order at 2:35 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5444, by Senators Valdez, Hunt, Kuderer, Nguyen, Pedersen, and Saldaña

Concerning firearm sensitive places.

MOTION

On motion of Senator Valdez, Second Substitute Senate Bill No. 5444 was substituted for Substitute Senate Bill No. 5444 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5444, by Committee on Ways & Means (originally sponsored by Senators Valdez, Hunt, Kuderer, Nguyen, Pedersen, and Saldaña)

Revised for Second Substitute: Restricting the possession of weapons, excluding carrying a pistol by a person licensed to carry a concealed pistol, on the premises of libraries, zoos, aquariums, and transit facilities.

WITHDRAWAL OF AMENDMENT

On motion of Senator Wilson, L. and without objection, amendment no. 630 by Senator Wilson, L. on page 3, line 7 to Second Substitute Senate Bill No. 5444 was withdrawn.

MOTION

Senator Wilson, L. moved that the following amendment no. 633 by Senator Wilson, L. be adopted:

On page 3, line 7, after "RCW:" insert "or"

On page 3, beginning on line 12, after "plan" strike all material through "system" on line 24

Correct any internal references accordingly.

On page 1, beginning on line 3 of the title, after "zoos," strike all material through "facilities" on line 4, and insert "and aquariums"

Senators Wilson, L., Fortunato, and Wagoner spoke in favor of adoption of the amendment.

Senators Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 633 by Senator Wilson, L. on page 3, line 7 to Second Substitute Senate Bill No. 5444.

The motion by Senator Wilson, L. did not carry and amendment no. 633 was not adopted by voice vote.

MOTION

On motion of Senator Valdez, the rules were suspended, Second Substitute Senate Bill No. 5444 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

Senators Padden, Fortunato, Wagoner and Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5444.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5444 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5444, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5891, by Senators Boehnke, Lovick, Keiser, Lias, Mullet, Torres, Wagoner, Warnick, C. Wilson, and J. Wilson

Designating trespassing on a public school bus as a felony offense.

MOTION

On motion of Senator Boehnke, Substitute Senate Bill No. 5891 was substituted for Senate Bill No. 5891 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5891, by Committee on Law & Justice (originally sponsored by Senators Boehnke, Lovick, Keiser, Lias, Mullet, Torres, Wagoner, Warnick, C. Wilson, and J. Wilson)

Revised for substitute: Designating trespassing on a school bus as a felony offense.

WITHDRAWAL OF AMENDMENT

On motion of Senator Boehnke and without objection, amendment no. 506 by Senator Boehnke on page 2, line 4 to Substitute Senate Bill No. 5891 was withdrawn.

MOTION

Senator Boehnke moved that the following amendment no. 618 by Senator Boehnke be adopted:

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On page 1, line 3 of the title, after "as a" strike "felony" and insert "criminal"

Senator Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 618 by Senator Boehnke on page 1, line 3 to Substitute Senate Bill No. 5891.

The motion by Senator Boehnke carried and amendment no. 618 was adopted by voice vote.

MOTION

On motion of Senator Boehnke, the rules were suspended, Engrossed Substitute Senate Bill No. 5891 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, by Committee on Law & Justice (originally sponsored by Senators Boehnke, Lovick, Keiser, Liias, Mullet, Torres, Wagoner, Warnick, C. Wilson, and J. Wilson)

Revised for engrossed: Protecting the safety and security of students and maintaining order within school buses by designating trespassing on a school bus as a criminal offense.

Senators Boehnke, Lovick and Padden spoke in favor of passage of the bill.

Senator Salomon spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5891.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5891 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Saldaña, Trudeau and Valdez

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5789, by Senator Torres

Concerning the sales and use tax for school construction assistance program capital projects.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 5789 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5789.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5789 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

SENATE BILL NO. 5789, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5160, by Senator Wilson, L.

Concerning organized retail theft.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, Senate Bill No. 5160 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5160.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5160 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5160, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5789, by Senators Mullet, Schoesler, Dozier, Nobles, Pedersen, and Torres

Creating a new statutory framework for the use of public-private partnerships for transportation projects.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6277 was substituted for Senate Bill No. 6277 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 6277 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6277.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6277 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

SUBSTITUTE SENATE BILL NO. 6277, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5722, by Senators Kuderer, King, Dhingra, Fortunato, and Wilson, C.

Concerning photographs, microphotographs, and electronic images from traffic safety cameras and toll systems.

MOTIONS

On motion of Senator Kuderer, Substitute Senate Bill No. 5722 was substituted for Senate Bill No. 5722 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5722, by Senate Committee on Law & Justice (originally sponsored by Kuderer, King, Dhingra, Fortunato, and Wilson, C.)

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 5722 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and King spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senators Nobles and Trudeau were excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5722.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5722 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 13; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Nguyen, Pedersen, Randall, Robinson, Saldaña, Shewmake, Stanford, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Fortunato, Holy, Muzzall, Padden, Rivers, Salomon, Schoesler, Short, Torres, Warnick and Wilson, L.

Excused: Senators Nobles and Trudeau

SUBSTITUTE SENATE BILL NO. 5722, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5869, by Senators Short, Lovelett, Dozier, Nobles, Shewmake, Torres, Wagoner, and Warnick

Concerning rural fire district stations.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 5869 was substituted for Senate Bill No. 5869 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5869, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Dozier, Nobles, Shewmake, Torres, Wagoner, and Warnick)

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 5869 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5869.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5869 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson,

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Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Nobles and Trudeau

SUBSTITUTE SENATE BILL NO. 5869, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6109, by Senators Wilson, C., Boehnke, Braun, Gildon, Hasegawa, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Saldaña, Short, Warnick, and Wilson, J.

Supporting children and families.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 6109 was substituted for Senate Bill No. 6109 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6109, by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Boehnke, Braun, Gildon, Hasegawa, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Saldaña, Short, Warnick, and Wilson, J.)

Senator Wilson, C. moved that the following amendment no. 595 by Senator Wilson, C. be adopted:

Beginning on page 25, line 14, strike all of section 109 and insert the following:

"NEW SECTION. Sec. 109. A new section is added to chapter 43.70 RCW to read as follows:

(1) The department, in collaboration with the department of children, youth, and families, shall convene a work group on children and exposure to fentanyl to provide information for child welfare workers, juvenile courts, and families regarding the risks of fentanyl exposure for children and child welfare workers in child protective services investigations. The information shall be made available to child welfare court professionals, including:

(a) Department of children, youth, and families employees supporting or providing child welfare services as defined in RCW 74.13.020 or child protective services as defined in RCW 26.44.020;

(b) Attorneys;

(c) Judicial officers; and

(d) Guardians ad litem.

(2) This section expires July 1, 2025."

On page 28, after line 31, insert the following:

"NEW SECTION. Sec. 206. A new section is added to chapter 74.13 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning. The pilot program established in this section must:

(1) Include contracts in up to four department offices for third-party safety plan participants and public health nurses to support child protective services workers in safety planning; and

(2) Provide support for cases involving high-potency synthetic opioids and families who do not have natural supports to aid in safety planning."

On page 1, beginning on line 6 of the title, after "43.216 RCW;" strike "adding a new section to chapter 41.05 RCW;" and insert "adding a new section to chapter 43.70 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 74.13 RCW;"

The President declared the question before the Senate to be the adoption of amendment no. 595 by Senator Wilson, C. on page 25, line 14 to Second Substitute Senate Bill No. 6109.

The motion by Senator Wilson, C. carried and amendment no. 595 was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Second Substitute Senate Bill No. 6109 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

MOTION

On motion of Senator Dhingra, Senator Kauffman was excused.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6109.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6109 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Hasegawa, Kauffman, Nobles, Randall, Saldaña, Trudeau and Valdez

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5860, by Senators Fortunato and Padden

Concerning spring blade knives.

The measure was read the second time.

MOTION

On motion of Senator Fortunato, the rules were suspended, Senate Bill No. 5860 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senators Fortunato and Padden spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Gildon was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5860.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5860 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Hansen, Hasegawa, Hawkins, Holy, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Hunt, Liias and Valdez

Excused: Senator Gildon

SENATE BILL NO. 5860, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5904, by Senators Nobles, Hansen, Dhingra, Frame, Hasegawa, Kuderer, Liias, Lovelett, Nguyen, Randall, Stanford, Trudeau, Valdez, and Wilson, C.

Extending the terms of eligibility for financial aid programs.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 5904 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nobles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5904.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5904 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, MacEwen, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senator Gildon

SENATE BILL NO. 5904, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6175, by Senators Trudeau, Billig, Frame, Kuderer, Mullet, Nguyen, Nobles, Randall, Saldaña, Valdez, and C. Wilson

Concerning housing affordability tax incentives for existing structures.

MOTIONS

On motion of Senator Pedersen, Second Substitute Senate Bill No. 6175 was substituted for Senate Bill No. 6175 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6175, by Committee on Ways & Means (originally sponsored by Senators Trudeau, Billig, Frame, Kuderer, Mullet, Nguyen, Nobles, Randall, Saldaña, Valdez, and C. Wilson)

Revised for Second Substitute: Providing a sales and use tax incentive for existing structures.

Senator Trudeau moved that the following striking amendment no. 629 by Senator Trudeau be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that:

(1) Many cities in Washington are actively planning for growth under the growth management act, chapter 36.70A RCW, and through tax incentives, the private market can assist Washington in meeting its housing goals;

(2) Many downtown centers lack available affordable housing, which results in long commutes that increase greenhouse gas emissions and by using existing buildings to create affordable housing units, units can be available more quickly and with a reduced impact on waste streams and the environment compared to newly constructed units;

(3) The construction industry provides living wage jobs for families across Washington;

(4) In the current economic climate, the creation of additional affordable housing units is essential to the economic health of our cities and our state;

(5) It is critical that Washington state promote its cities and its property owners that will provide affordable housing;

(6) Constructing new housing units can take years, and many existing buildings can be repurposed quickly to meet the state's workforce and affordable housing needs;

(7) Many existing buildings are located in downtown centers, near work and services where there is limited land available for new construction;

(8) In downtowns across the state, there is a high level of open commercial space, which will likely remain, due to changes in

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how businesses use office space following the COVID-19 pandemic;

(9) A meaningful, fair, and predictable economic incentive should be created to stimulate the redevelopment of underutilized commercial property in targeted urban areas through a limited sales and use tax deferral program as provided by this chapter; and

(10) This limited tax deferral will help the owners achieve the highest and best use of land and enable cities to more fully realize their planning goals.

NEW SECTION. Sec. 2. It is the purpose of this chapter to encourage the redevelopment of underutilized commercial property in targeted urban areas, thereby increasing affordable housing, employment opportunities, and helping accomplish the other planning goals of Washington cities. The legislative authorities of cities to which this chapter applies may authorize a sales and use tax deferral for an investment project within the city if the legislative authority of the city finds that there are significant areas of underutilized commercial property and a lack of affordable housing in areas proximate to the land. If a conditional recipient maintains the property for qualifying purposes for at least 10 years, deferred sales and use taxes need not be repaid.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Affordable housing" means:

(a) Homeownership housing intended for owner occupancy to low-income households whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income;

(b) "Rental housing" for low-income households whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income.

(2) "Applicant" means an owner of commercial property.

(3) "City" means any city or town, including a code city.

(4) "Conditional recipient" means an owner of commercial property granted a conditional certificate of program approval under this chapter, which includes any successor owner of the property.

(5) "County median price" means the most recently published quarterly data of median home prices by the Washington center for real estate research.

(6) "Eligible investment project" means an investment project that is located in a city and receiving a conditional certificate of program approval.

(7) "Fair market rent" means the fair market rents within counties as published by the federal department of housing and urban development.

(8) "Governing authority" means the local legislative authority of a city having jurisdiction over the property for which a deferral may be granted under this chapter.

(9) "Household" means a single person, family, or unrelated persons living together.

(10)(a) "Initiation of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for construction of the qualified building, if the underlying ownership of the building vests exclusively with the person receiving the economic benefit of the deferral.

(b) "Initiation of construction" does not include soil testing, site clearing and grading, site preparation, or any other related activities that are initiated before the issuance of a building permit for the construction of the foundation of the building.

(c) If the investment project is a phased project, "initiation of construction" applies separately to each phase.

(11) "Investment project" means an investment in multifamily housing, including labor, services, and materials incorporated in the planning, installation, and construction of the project. "Investment project" includes investment in related facilities such as playgrounds and sidewalks as well as facilities used for business use for mixed-use development.

(12) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below 80 percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.

(13) "Multifamily housing" means a building or a group of buildings having four or more dwelling units not designed or used as transient accommodations and not including hotels and motels. Multifamily units may result from rehabilitation or conversion of vacant, underutilized, or substandard buildings to multifamily housing.

(14) "Owner" means the property owner of record.

(15) "Underutilized commercial property" means an entire property, or portion thereof, currently used or intended to be used by a business for retailing or office-related or administrative activities. If the property is used partly for a qualifying use and partly for other purposes, the applicable tax deferral must be determined by apportionment of the costs of construction under rules adopted by the department. For the purposes of this subsection, "qualifying use" means used or intended to be used by a business for retailing or office-related or administrative activities.

NEW SECTION. Sec. 4. (1) For the purpose of creating a sales and use tax deferral program for conversion of a commercial building to provide affordable housing under this chapter, the governing authority must adopt a resolution of intention to create a sales and use tax deferral program as generally described in the resolution. The resolution must state the time and place of a hearing to be held by the governing authority to consider the creation of the tax deferral program and may include such other information pertaining to the creation of the deferral program as the governing authority determines to be appropriate to apprise the public of the action intended. However, the resolution must provide information pertaining to:

(a) The application process;

(b) The approval process;

(c) The appeals process for applications denied approval; and

(d) Additional requirements, conditions, and obligations that must be followed postapproval of an application.

(2) The governing authority must give notice of a hearing held under this chapter by publication of the notice once each week for two consecutive weeks, not less than seven days, nor more than 30 days before the date of the hearing in a paper having a general circulation in the city. The notice must state the time, date, place, and purpose of the hearing.

(3) Following the hearing or a continuance of the hearing, the governing authority may authorize the creation of the program.

NEW SECTION. Sec. 5. An owner of underutilized commercial property seeking a sales and use tax deferral for conversion of a commercial building to provide affordable housing under this chapter on an investment project must complete the following procedures:

(1) The owner must apply to the city on forms adopted by the governing authority. The application must contain the following:

(a) Information setting forth the grounds supporting the requested deferral including information indicated on the application form or in the guidelines;

(b) A description of the investment project and site plan, and other information requested;

(c) A statement of the expected number of affordable housing units to be created;

(d) A statement that the applicant is aware of the potential tax liability involved if the investment project ceases to be used for eligible uses under this chapter;

(e) A statement that the applicant is aware that the investment project must be completed within three years from the date of approval of the application;

(f) A statement that the applicant is aware that the governing authority or the city official authorized by the governing authority may extend the deadline for completion of construction or rehabilitation for a period not to exceed 24 consecutive months; and

(g) A statement that the applicant would not have built in this location but for the availability of the tax deferral under this chapter;

(2) The applicant must verify the application by oath or affirmation; and

(3) The application must be accompanied by the application fee, if any, required under this chapter. The duly authorized administrative official or committee of the city may permit the applicant to revise an application before final action by the duly authorized administrative official or committee of the city.

NEW SECTION. Sec. 6. The duly authorized administrative official or committee of the city may approve the application and grant a conditional certificate of program approval if it finds that:

(1)(a) The investment project is set aside primarily for multifamily housing units and the applicant commits to renting or selling at least 10 percent of the units as affordable housing to low-income households. In a mixed use project, only the ground floor of a building may be used for commercial purposes with the remainder dedicated to multifamily housing units;

(b) At least 50 percent of the investment project set aside for multifamily housing units will be rented at a price at or below fair market rent for the county or sold at a price at or below county median price; and

(c) The applicant commits to any additional affordability and income eligibility conditions adopted by the local government under this chapter not otherwise inconsistent with this chapter;

(2) The investment project is, or will be, at the time of completion, in conformance with all local plans and regulations that apply at the time the application is approved;

(3) The investment project will occur on land that constitutes, at the time of application, underutilized commercial property;

(4) The area where the investment project will occur is located within an area zoned for residential or mixed uses;

(5) The terms and conditions of the implementation of the development meets the requirements of this chapter and any requirements of the city that are not otherwise inconsistent with this chapter;

(6) The land where the investment project will occur was not acquired through a condemnation proceeding under Title 8 RCW; and

(7) All other requirements of this chapter have been satisfied as well as any other requirements of the city that are not otherwise inconsistent with this chapter.

NEW SECTION. Sec. 7. (1) The duly authorized administrative official or committee of the city must approve or deny an application filed under this chapter within 90 days after receipt of the application.

(2) If the application is approved, the city must issue the applicant a conditional certificate of program approval. The certificate must contain a statement by a duly authorized

administrative official of the governing authority that the investment project as described in the application will comply with the required criteria of this chapter.

(3) If the application is denied by the city, the city must state in writing the reasons for denial and send the notice to the applicant at the applicant's last known address within 10 days of the denial.

(4) Upon denial by the city, an applicant may appeal the denial to the city's governing authority or a city official designated by the city to hear such appeals within 30 days after receipt of the denial. The appeal before the city's governing authority or designated city official must be based upon the record made before the city with the burden of proof on the applicant to show that there was no substantial evidence to support the city's decision. The decision of the city on the appeal is final.

NEW SECTION. Sec. 8. The governing authority may establish an application fee. This fee may not exceed an amount determined to be required to cover the cost to be incurred by the governing authority in administering the program under this chapter. The application fee must be paid at the time the application for program approval is filed.

NEW SECTION. Sec. 9. (1) Within 30 days of the issuance of a certificate of occupancy for an eligible investment project, the conditional recipient must file with the city the following:

(a) A description of the work that has been completed and a statement that the eligible investment project qualifies the property for a sales and use tax deferral under this chapter;

(b) A statement of the new affordable housing to be offered as a result of the conversion of underutilized commercial property to multifamily housing; and

(c) A statement that the work has been completed within three years of the issuance of the conditional certificate of program approval.

(2) Within 30 days after receipt of the statements required under subsection (1) of this section, the city must determine and notify the conditional recipient as to whether the work completed and the affordable housing to be offered are consistent with the application and the contract approved by the city, and the investment project continues to qualify for a tax deferral under this chapter. The conditional recipient must notify the department within 30 days from receiving the city's determination to report the project is operationally complete so the department can certify the project and determine the qualifying deferred taxes. The department must determine the amount of sales and use taxes qualifying for the deferral. If the department determines that purchases were not eligible for deferral it must assess interest, but not penalties, on the nonqualifying amounts.

(3) The city must notify the conditional recipient within 30 days that a tax deferral under this chapter is denied if the city determines that:

(a) The work was not completed within three years of the application date;

(b) The work was not constructed consistent with the application or other applicable requirements;

(c) The affordable housing units to be offered are not consistent with the application and criteria of this chapter; or

(d) The owner's property is otherwise not qualified for a sales and use tax deferral under this chapter.

(4) If the city finds that the work was not completed within the required time period due to circumstances beyond the control of the conditional recipient and that the conditional recipient has been acting and could reasonably be expected to act in good faith and with due diligence, the governing authority may extend the deadline for completion of the work for a period not to exceed 24 consecutive months, and must notify the department of the extension.

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(5) The city's governing authority may enact an ordinance to provide a process for a conditional recipient to appeal a decision by the city that the conditional recipient is not entitled to a deferral of sales and use taxes. The conditional recipient may appeal a decision by the city to deny a deferral of sales and use taxes in superior court under RCW 34.05.510 through 34.05.598, if the appeal is filed within 30 days of notification by the city to the conditional recipient.

(6) A city denying a conditional recipient of a sales and use tax deferral under subsection (3) of this section must notify the department and taxes deferred under this chapter are immediately due and payable, subject to any appeal by the conditional recipient. The department must assess interest at the rate provided for delinquent taxes, but not penalties, retroactively to the date of deferral. A debt for deferred taxes will not be extinguished by insolvency or other failure of the recipient.

NEW SECTION. Sec. 10. (1) Thirty days after the anniversary of the date of issuance of the certificate of occupancy and each year thereafter for 10 years, the conditional recipient must file with a designated authorized representative of the city an annual report indicating the following:

(a) A statement of the affordable housing units constructed on the property as of the anniversary date;

(b) A certification by the conditional recipient that the property has not changed use;

(c) A description of changes or improvements constructed after issuance of the certificate of occupancy; and

(d) Any additional information requested by the city.

(2) The conditional recipient of a deferral of taxes under this chapter must file a complete annual tax performance report with the department pursuant to RCW 82.32.534 beginning the year the certificate of occupancy is issued and each year thereafter for 10 years.

(3) A city that issues a certificate of program approval under this chapter must report annually by December 31st of each year, beginning in 2025, to the department of commerce. The report must include the following information:

(a) The number of program approval certificates granted;

(b) The total number and type of buildings converted;

(c) The number of affordable housing units resulting from the conversion of underutilized commercial property to multifamily housing; and

(d) The estimated value of the sales and use tax deferral for each investment project receiving a program approval and the total estimated value of sales and use tax deferrals granted.

NEW SECTION. Sec. 11. (1) A conditional recipient must submit an application to the department before initiation of the construction of the investment project. In the case of an investment project involving multiple qualified buildings, applications must be made for, and before the initiation of construction of, each qualified building. The application must be made to the department in a form and manner prescribed by the department. The application must include a copy of the conditional certificate of program approval issued by the city, estimated construction costs, time schedules for completion and operation, and any other information required by the department. The department must rule on the application within 60 days.

(2) The department must provide information to the conditional recipient regarding documentation that must be retained by the conditional recipient in order to substantiate the amount of sales and use tax actually deferred under this chapter.

(3) The department may not accept applications for the deferral under this chapter after June 30, 2034.

(4) The application must include a waiver by the conditional recipient of the four-year limitation under RCW 82.32.100.

(5) This section expires July 1, 2034.

NEW SECTION. Sec. 12. (1) After receiving the conditional certificate of program approval issued by the city and approval of an application by the department as provided in section 11(1) of this act, the department must issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, 82.14, and 81.104 RCW on each eligible investment project.

(2) The department must keep a running total of all estimated sales and use tax deferrals provided under this chapter during each fiscal biennium.

(3) The deferral certificate is valid during active construction of a qualified investment project and expires on the day the city issues a certificate of occupancy for the investment project for which a deferral certificate was issued.

(4) This section expires July 1, 2034.

NEW SECTION. Sec. 13. (1) If a conditional recipient voluntarily opts to discontinue compliance with the requirements of this chapter, the recipient must notify the city and department within 60 days of the change in use or intended discontinuance.

(2) If, after the department has issued a sales and use tax deferral certificate and the conditional recipient has received a certificate of occupancy, the city finds that a portion of an investment project is changed or will be changed to disqualify the recipient for sales and use tax deferral eligibility under this chapter, the city must notify the department and all deferred sales and use taxes are immediately due and payable. The department must assess interest at the rate provided for delinquent taxes, but not penalties, retroactively to the date of deferral. A debt for deferred taxes will not be extinguished by insolvency or other failure of the recipient.

(3) This section does not apply after 10 years from the date of the certificate of occupancy.

NEW SECTION. Sec. 14. (1) Transfer of investment project ownership does not terminate the deferral. The deferral is transferred subject to the successor meeting the eligibility requirements of this chapter.

(2) The transferor of an eligible project must notify the city and the department of such transfer. The city must certify to the department that the successor meets the requirements of the deferral. The transferor must provide the information necessary for the department to transfer the deferral. If the transferor fails to notify the city and the department, all deferred sales and use taxes are immediately due and payable. The department must assess interest at the rate provided for delinquent taxes, but not penalties, retroactively to the date of deferral.

NEW SECTION. Sec. 15. (1) This section is the tax preference performance statement for the tax preference contained in chapter . . . , Laws of 2024 (this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(3) It is the legislature's specific public policy objective to expand affordable housing options for low-income households, specifically in urban areas where there is underutilized commercial property.

(4)(a) To measure the effectiveness of the tax preference in this act, the joint legislative audit and review committee must evaluate the number of increased housing units on underutilized commercial property. If a review finds that the number of

affordable housing units has not increased, then the legislature intends to repeal this tax preference.

(b) The review must be provided to the fiscal committees of the legislature by December 31, 2032.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to any available data source, including data collected by the department under section 10 of this act.

NEW SECTION. Sec. 16. An owner of underutilized commercial property claiming a sales and use tax deferral under this chapter may also apply for the multiple-unit housing property tax exemption program under chapter 84.14 RCW. For applicants receiving the property tax exemption under chapter 84.14 RCW, the amount of affordable housing units required for eligibility under this chapter is in addition to the affordability conditions in chapter 84.14 RCW.

Sec. 17. RCW 84.14.010 and 2021 c 187 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.

(2) "Campus facilities master plan" means the area that is defined by the University of Washington as necessary for the future growth and development of its campus facilities for campuses authorized under RCW 28B.45.020.

(3) "City" means either (a) a city or town with a population of at least fifteen thousand, (b) the largest city or town, if there is no city or town with a population of at least fifteen thousand, located in a county planning under the growth management act, (c) a city or town with a population of at least five thousand located in a county subject to the provisions of RCW 36.70A.215, or (d) any city that otherwise does not meet the qualifications under (a) through (c) of this subsection, until December 31, 2031, that complies with RCW 84.14.020(1)(a)(iii) or 84.14.021(1)(b).

(4) "Conversion" means the conversion of a nonresidential building, in whole or in part, to multiple-unit housing under this chapter.

(5) "County" means a county with an unincorporated population of at least 170,000.

~~((6))~~ (6) "Governing authority" means the local legislative authority of a city or a county having jurisdiction over the property for which an exemption may be applied for under this chapter.

~~((6))~~ (7) "Growth management act" means chapter 36.70A RCW.

~~((7))~~ (8) "Household" means a single person, family, or unrelated persons living together.

~~((8))~~ (9) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area, where the project is located, as reported by the United States department of housing and urban development.

~~((9))~~ (10) "Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is more than eighty percent but is at or below one hundred fifteen percent of the median family income adjusted for family size, for the county, city, or metropolitan statistical area,

where the project is located, as reported by the United States department of housing and urban development.

~~((40))~~ (11) "Multiple-unit housing" means a building or a group of buildings having four or more dwelling units not designed or used as transient accommodations and not including hotels and motels. Multifamily units may result from new construction or rehabilitated or conversion of vacant, underutilized, or substandard buildings to multifamily housing.

~~((41))~~ (12) "Owner" means the property owner of record.

~~((42))~~ (13) "Permanent residential occupancy" means multiunit housing that provides either rental or owner occupancy on a nontransient basis. This includes owner-occupied or rental accommodation that is leased for a period of at least one month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.

~~((43))~~ (14) "Rehabilitation improvements" means modifications to existing structures, that are vacant for twelve months or longer, that are made to achieve a condition of substantial compliance with existing building codes or modification to existing occupied structures which increase the number of multifamily housing units.

~~((44))~~ (15) "Residential targeted area" means an area within an urban center or urban growth area that has been designated by the governing authority as a residential targeted area in accordance with this chapter. With respect to designations after July 1, 2007, "residential targeted area" may not include a campus facilities master plan.

~~((45))~~ (16) "Rural county" means a county with a population between fifty thousand and seventy-one thousand and bordering Puget Sound.

~~((46))~~ (17) "Substantial compliance" means compliance with local building or housing code requirements that are typically required for rehabilitation as opposed to new construction.

~~((47))~~ (18) "Urban center" means a compact identifiable district where urban residents may obtain a variety of products and services. An urban center must contain:

(a) Several existing or previous, or both, business establishments that may include but are not limited to shops, offices, banks, restaurants, governmental agencies;

(b) Adequate public facilities including streets, sidewalks, lighting, transit, domestic water, and sanitary sewer systems; and

(c) A mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial or office, or both, use.

NEW SECTION. Sec. 18. Sections 1 through 16 of this act constitute a new chapter in Title 82 RCW."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "housing affordability tax incentives for existing structures; amending RCW 84.14.010; adding a new chapter to Title 82 RCW; and providing expiration dates."

Senators Trudeau, Gildon and Fortunato spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 629 by Senator Trudeau to Second Substitute Senate Bill No. 6175.

The motion by Senator Trudeau carried and striking amendment no. 629 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6175 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6175, by Committee on Ways & Means (originally sponsored by Senators Trudeau, Billig, Frame, Kuderer, Mullet, Nguyen, Nobles, Randall, Saldaña, Valdez, and C. Wilson)

Revised for engrossed: Concerning housing affordability tax incentives for existing structures.

Senators Trudeau and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6175.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6175 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6173, by Senators Nobles, Trudeau, Kuderer, Lovelett, Mullet, Nguyen, Randall, Torres, and Wilson, C.

Encouraging investments in affordable homeownership unit development.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 6173 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nobles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6173.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6173 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias,

Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

SENATE BILL NO. 6173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5997, by Senators King, Keiser, Frame, Saldaña, Valdez, and Wagoner

Making technical corrections to plumbing supervision and trainee hours reporting.

The measure was read the second time.

MOTION

Senator King moved that the following amendment no. 593 by Senators Keiser and King be adopted:

On page 3, line 5, after "~~((is))~~" insert "that are outside the interior walls or above the floor"

On page 5, beginning on line 21, after "a trainee" strike all material through "and" on line 22 and insert "~~((being on the same jobsite and))~~"

On page 6, line 2, after "structure" insert "and limited to the scope of the residential service plumber"

On page 6, line 15, after "plumbing" insert "only in a like-in-kind manner"

Senators King and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 593 by Senators Keiser and King on page 3, line 5 to Senate Bill No. 5997.

The motion by Senator King carried and amendment no. 593 was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Senate Bill No. 5997 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5997.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5997 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short,

Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5997, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5952, by Senators Schoesler, Keiser, and Dozier

Aligning deputy inspector credentials with national standards.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 5952 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5952.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5952 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5952, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6038, by Senators Wilson, C., Lovelett, Keiser, Kuderer, Liias, Nguyen, Nobles, Randall, Salomon, Valdez, and Wellman

Reducing the costs associated with providing child care.

MOTIONS

On motion of Senator Wilson, C., Substitute Senate Bill No. 6038 was substituted for Senate Bill No. 6038 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6038, by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Lovelett, Keiser, Kuderer, Liias, Nguyen, Nobles, Randall, Salomon, Valdez, and Wellman)

Senator Robinson moved that the following striking amendment no. 592 by Senator Robinson be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) This section is the tax preference performance statement for the tax preference contained in section 2, chapter . . ., Laws of 2024 (section 2 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preferences. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain businesses or individuals, as indicated in RCW 82.32.808(2)(e).

(3) It is the legislature's specific public policy objective to reduce the costs associated with providing child care by expanding the business and occupation tax exemption for child care services to include income derived from the care and education of children up to age 12.

(4) If a review finds a reduction in the cost of providing child care and education, then the legislature intends to extend the expiration date of this tax preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to any data collected by the state.

NEW SECTION. Sec. 2. A new section is added to chapter 82.04 RCW to read as follows:

(1) This chapter does not apply to amounts received by a child care provider for the care or supervision of children:

(a) Under 13 years of age; or

(b) Under 19 years of age who have a verified special need or are under court supervision as determined by the department of children, youth, and families under chapter 43.216 RCW.

(2) This section expires January 1, 2035.

Sec. 3. RCW 82.04.2905 and 1998 c 312 s 7 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of providing child care for periods of less than twenty-four hours((as to such persons)), the amount of tax with respect to such business ((shall be)) is equal to the gross proceeds derived from such sales multiplied by the rate of 0.484 percent.

(2) For the purpose of this section, "child care" means the care or supervision of children 13 years of age or older. "Child care" does not include the care and supervision of children under age 19 who have a verified special need or are under court supervision as determined by the department of children, youth, and families under chapter 43.216 RCW.

Sec. 4. RCW 43.216.300 and 2018 c 58 s 41 are each amended to read as follows:

((4)) The secretary ((shall)) may not charge fees to the licensee for obtaining a child care license. ((The secretary may waive the fees when, in the discretion of the secretary, the fees would not be in the best interest of public health and safety, or when the fees would be to the financial disadvantage of the state.

(2) Fees charged shall be based on, but shall not exceed, the cost to the department for the licensure of the activity or class of activities and may include costs of necessary inspection.

(3) The secretary shall establish the fees charged by rule.))

Sec. 5. RCW 43.216.305 and 2021 c 304 s 14 are each amended to read as follows:

(1) Each applicant shall make application for a license or the continuation of a full license to the department using a method prescribed by the department. Upon receipt of such application, the department shall either grant or deny a license or continuation

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of a full license within ninety days. A license or continuation shall be granted if the agency meets the minimum requirements set forth in this chapter and the departmental requirements consistent with this chapter, except that an initial license may be issued as provided in RCW 43.216.315. The department shall consider whether an agency is in good standing, as defined in subsection (4)(b) of this section, before granting a continuation of a full license. Full licenses provided for in this chapter shall continue to remain valid so long as the licensee meets the requirements for a nonexpiring license in subsection (2) of this section and may be transferred to a new licensee in the event of a transfer of ownership of a child care operation. The licensee, however, shall advise the secretary of any material change in circumstances which might constitute grounds for reclassification of license as to category. The license issued under this chapter applies only to the licensee and the location stated in the application. For licensed family day care homes having an acceptable history of child care, the license may remain in effect for two weeks after a move.

(2) In order to qualify for a nonexpiring full license, a licensee must meet the following requirements on an annual basis as established from the date of initial licensure:

- (a) ~~((Submit the annual licensing fee;~~
- ~~(b)))~~ Submit a declaration to the department indicating the licensee's intent to continue operating a licensed child care program, or the intent to cease operation on a date certain;
- ~~((c)))~~ ~~(b)~~ Submit a declaration of compliance with all licensing rules; and
- ~~((d)))~~ ~~(c)~~ For all current employees of the agency and as defined by department rule, submit background check applications into the department's electronic workforce registry on the schedule established by the department.

(3) If a licensee fails to meet the requirements in subsection (2) of this section for continuation of a full license the license expires and the licensee must submit a new application for licensure under this chapter.

(4)(a) Nothing about the nonexpiring license process may interfere with the department's established monitoring practice.

(b) For the purpose of this section, an agency is considered to be in good standing if in the intervening period between monitoring visits the agency does not have any of the following:

- (i) Valid complaints;
- (ii) A history of noncompliance related to those valid complaints or pending from prior monitoring visits; or
- (iii) Other information that when evaluated would result in a finding of noncompliance with this section.

(c) The department shall consider whether an agency is in good standing when determining the most appropriate approach and process for monitoring visits, for the purposes of administrative efficiency while protecting children, consistent with this chapter. If the department determines that an agency is not in good standing, the department may issue a probationary license, as provided in RCW 43.216.320.

NEW SECTION. Sec. 6. Sections 1, 2, and 3 of this act take effect October 1, 2024."

On page 1, line 2 of the title, after "care;" strike the remainder of the title and insert "amending RCW 82.04.2905, 43.216.300, and 43.216.305; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and providing an expiration date."

MOTION

Senator Wilson, C. moved that the following amendment no. 617 by Senator Wilson, C. be adopted:

Beginning on page 1, line 24, strike all of section 2

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 2, at the beginning of line 4, strike "~~(1) Upon~~" and insert "~~((Upon))~~ (1) Except as provided in subsection (2) of this section, upon"

On page 2, beginning on line 9, strike all of subsection (2) and insert the following:

"(2) Until January 1, 2035, this chapter does not apply to amounts received by a child care provider for the care and supervision for periods of less than 24 hours of children:

(a) Under 13 years of age; or

(b) Under 19 years of age who have a verified special need or are under court supervision as determined by the department of children, youth, and families under chapter 43.216 RCW.

(3) The exemption under subsection (2) of this section applies only to persons primarily engaged in the business of providing child care."

On page 4, line 8, after "1" strike ", 2, and 3" and insert "and 2"

On page 4, line 12, after "43.216.305;" strike all material through "date." on line 14 and insert "creating a new section; and providing an effective date."

Senator Wilson, C. spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 617 by Senator Wilson, C. on page 1, line 24 to striking amendment no. 592.

The motion by Senator Wilson, C. carried and amendment no. 617 was adopted by voice vote.

Senator Robinson spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 592 by Senator Robinson as amended to Substitute Senate Bill No. 6038.

The motion by Senator Robinson carried and striking amendment no. 592 as amended was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute Senate Bill No. 6038 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Wilson, L. and Trudeau spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6038.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6038 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

ENGROSSED SUBSTITUTE SENATE BILL NO. 6038, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6194, by Senators Stanford, Saldaña, Cleveland, Conway, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Nobles, Randall, Trudeau, Valdez, Van De Wege, and Wilson, C.

Concerning state legislative employee collective bargaining.

MOTIONS

On motion of Senator Stanford, Second Substitute Senate Bill No. 6194 was substituted for Senate Bill No. 6194 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6194, by Senate Committee on Ways & Means (originally sponsored by Stanford, Saldaña, Cleveland, Conway, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Nobles, Randall, Trudeau, Valdez, Van De Wege, and Wilson, C.)

Senator Stanford moved that the following striking amendment no. 631 by Senator Stanford be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 44.90.020 and 2022 c 283 s 3 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, except that neither party may be compelled to negotiate during a legislative session or on committee assembly days, to confer and negotiate in good faith, and to execute a written agreement with respect to the subjects of bargaining specified under RCW 44.90.090. The obligation to bargain does not compel either party to agree to a proposal or to make a concession unless otherwise provided in this chapter.

(2) "Commission" means the public employment relations commission.

~~((2))~~ (3) "Confidential employee" means an employee designated by the employer to assist in a confidential capacity, or serve as counsel to, persons who formulate, determine, and effectuate employer policies with regard to labor relations and personnel matters or who has authorized access to information relating to the effectuation or review of the employer's collective bargaining policies, strategies, or process to the extent that such access creates a conflict of interest, or who assists or aids an employee with managerial authority.

(4) "Director" means the director of the office of state legislative labor relations.

~~((3))~~ (5)(a) "Employee" means:

(i) Any regular partisan employee of the house of representatives or the senate who is covered by this chapter; and

(ii) Any regular employee who is staff of the:

(A) Office of legislative support services;

(B) Legislative service center;

(C) Office of the code reviser who, during any legislative session, does not work full time on drafting and finalizing legislative bills to be included in the Revised Code of Washington; and

(D) House of representatives and senate administrations.

(b) "Employee" also includes temporary staff hired to perform substantially similar work to that performed by employees included under (a) of this subsection.

(c) All other regular employees and temporary employees, including casual employees, interns, and pages, and employees in the office of program research and senate committee services work groups of the house of representatives and the senate are excluded from the definition of "employee" for the purposes of this chapter.

(6) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

~~((4))~~ (7) "Employee with managerial authority" means any employee designated by the employer who, regardless of job title:

(a) Directs the staff who work for a legislative chamber, caucus, agency, or subdivision thereof; (b) has substantial responsibility in personnel administration, or the preparation and administration of the employer's budgets; and (c) exercises authority that is not merely routine or clerical in nature and requires the use of independent judgment.

(8) "Employer" means:

(a) The chief clerk of the house of representatives, or the chief clerk's designee, for employees of the house of representatives;

(b) The secretary of the senate, or the secretary's designee, for employees of the senate; and

(c) The chief clerk of the house of representatives and the secretary of the senate, acting jointly, or their designees, for the regular employees who are staff of the office of legislative support services, the legislative service center, and the office of the code reviser.

(9) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

~~((5))~~ (10) "Labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment with respect to the subjects of bargaining provided in this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

~~((6))~~ (12) "Office" means the office of state legislative labor relations.

(13) "Supervisor" means an employee designated by the employer to provide supervision to and have authority over legislative employees on an ongoing basis as part of the employee's regular and usual job duties. Supervision includes the authority to direct employees, approve and deny leave, and effectively recommend decisions to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, or to adjust employee grievances, when the exercise

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of the authority is not of a merely routine nature but requires the exercise of individual judgment.

NEW SECTION. Sec. 2. A new section is added to chapter 44.90 RCW to read as follows:

(1) This chapter does not apply to any legislative employee who has managerial authority, is a confidential employee, or who does not meet the definition of employee for the purpose of collective bargaining.

(2) This chapter also does not apply to:

(a) Elected or appointed members of the legislature;

(b) Any person appointed to office under statute, ordinance, or resolution for a specific term of office as a member of a multimember board, commission, or committee;

(c) Caucus chiefs of staff and caucus deputy chiefs of staff;

(d) The speaker's attorney, house counsel, and leadership counsel to the minority caucus of the house of representatives; and

(e) The counsel for the senate that provide direct legal advice to the administration of the senate.

Sec. 3. RCW 44.90.030 and 2022 c 283 s 2 are each amended to read as follows:

(1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2)(a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, establishing bargaining teams and conducting negotiations on behalf of the employer.

~~((d) The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and the senate. The gathering of input must be in the form of, at a minimum, surveys.~~

~~(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:~~

~~(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and~~

~~(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.~~

~~(4)(a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature that provides a progress report on the director's considerations.~~

~~(b) By October 1, 2023, the director shall submit a final report to the appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:~~

~~(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;~~

~~(ii) Mandatory, permissive, and prohibited subjects of bargaining;~~

~~(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes of bargaining;~~

~~(iv) Definitions for relevant terms;~~

~~(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;~~

~~(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;~~

~~(vii) The efficiency and feasibility of coalition bargaining;~~

~~(viii) Procedures for approving negotiated collective bargaining agreements;~~

~~(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and~~

~~(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.~~

~~(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.)~~

NEW SECTION. Sec. 4. A new section is added to chapter 44.90 RCW to read as follows:

(1) As provided by this chapter, the commission or the court shall determine all questions described by this chapter as under the commission's authority. However, such authority may not result in an order or rule that intrudes upon or interferes with the legislature's core function of efficient and effective law making or the essential operation of the legislature, including that an order or rule may not:

(a) Require the legislature to reinstate an employee;

(b) Modify any matter relating to the qualifications and elections of members of the legislature, or the holding of office of members of the legislature;

(c) Modify any matter relating to the legislature or each house thereof choosing its officers, adopting rules for its proceedings, selecting committees necessary for the conduct of business, considering or enacting legislation, or otherwise exercising the legislative power of this state;

(d) Modify any matter relating to legislative calendars, schedules, and deadlines of the legislature; or

(e) Modify laws, rules, policies, or procedures regarding ethics or conflicts of interest.

(2) No member of the legislature may be compelled by subpoena or other means to attend a proceeding related to matters covered by this chapter during a legislative session, committee assembly days, or for 15 days before commencement of each session.

Sec. 5. RCW 44.90.050 and 2022 c 283 s 5 are each amended to read as follows:

(1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint,

or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election (~~by mail ballot~~) administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

~~(3) ((The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.))~~
The commission must adopt rules that provide for at least the following:

- (a) Secret balloting;
- (b) Consulting with employee organizations;
- (c) Access to lists of employees, job titles, work locations, and home mailing addresses;
- (d) Absentee voting;
- (e) Procedures for the greatest possible participation in voting;
- (f) Campaigning on the employer's property during working hours; and
- (g) Election observers.

(4)(a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.

(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4)(b) requires the parties to engage in new negotiations during the term of that agreement.

(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(6) No question concerning representation may be raised if:
(a) Fewer than 12 months have elapsed since the last certification or election; or

(b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.

NEW SECTION. Sec. 6. A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission, after hearing upon reasonable notice to all interested parties, shall decide, in each application for certification as an exclusive bargaining representative, the unit appropriate for certification. In determining the new units or modifications of existing units, the commission must consider: The duties, skills, and working conditions of the employees; the history of collective bargaining; the extent of organization among the employees; the desires of the employees; and the avoidance

of excessive fragmentation. However, a unit is not appropriate if it includes:

(a) Both supervisors and nonsupervisory employees. A unit that includes only supervisors may be considered appropriate if a majority of the supervisory employees indicates by vote that they desire to be included in such a unit; or

(b) Both house of representatives and senate employees.

(2) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

NEW SECTION. Sec. 7. A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement must reduce the agreement to writing and both execute it.

(2) Except as provided in this chapter, a collective bargaining agreement must contain provisions that provide for a grievance procedure of all disputes arising over the interpretation or application of the collective bargaining agreement and that is valid and enforceable under its terms when entered into in accordance with this chapter.

(3) RCW 41.56.037 applies to this chapter.

(4)(a) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same bargaining units, the effective date of the collective bargaining agreement may be the day after the termination of the previous collective bargaining agreement, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(b) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and the exclusive bargaining representative representing different bargaining units, the effective date of the collective bargaining agreement may be the day after the termination date of whichever previous collective bargaining agreement covering one or more of the units terminated first, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(5) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

Sec. 8. RCW 44.90.060 and 2022 c 283 s 6 are each amended to read as follows:

~~((During a legislative session or committee assembly days, nothing))~~ **Nothing** contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

Sec. 9. RCW 44.90.070 and 2022 c 283 s 7 are each amended to read as follows:

(1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

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(3)(a) The director must submit ratified collective bargaining agreements, with cost estimates, to the employer by October 1st before the legislative session at which the request for funds are to be considered. The transmission by the legislature to the governor under RCW 43.88.090 must include a request for funds necessary to implement the provisions of all collective bargaining agreements covering legislative employees.

(b) If the legislature or governor fail to provide the funds for a collective bargaining agreement for legislative employees, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in section 10 of this act.

(4) Negotiation for economic terms will be by a coalition of all exclusive bargaining representatives. Any such provisions agreed to by the employer and the coalition must be included in all collective bargaining agreements negotiated by the parties. The director and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of bargaining unit specific issues for inclusion in the collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This subsection does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(5) If a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties must immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

NEW SECTION. Sec. 10. A new section is added to chapter 44.90 RCW to read as follows:

(1) Should the parties fail to reach agreement in negotiating a collective bargaining agreement, either party may request of the commission the assistance of an impartial third party to mediate the negotiations. If a collective bargaining agreement previously negotiated under this chapter expires while negotiations are underway, the terms and conditions specified in the collective bargaining agreement remain in effect for a period not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) Nothing in this section may be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(3) The commission shall bear costs for mediator services.

Sec. 11. RCW 44.90.080 and 2022 c 283 s 8 are each amended to read as follows:

(1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that employee has filed charges or given testimony under this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) Notwithstanding any other law, the expression of any views, arguments, or opinions, or the dissemination thereof in any form, by a member of the legislature related to this chapter or matters within the scope of representation, shall not constitute, or be evidence of, an unfair labor practice unless the employer has authorized the member to express that view, argument, or opinion on behalf of the employer or as an employer.

(3) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

~~((3))~~ (4) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

NEW SECTION. Sec. 12. A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. However, a complaint may not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission or in Thurston county superior court. This power may not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) Except as may be specifically limited by this chapter, if the commission or court determines that any person has engaged in or is engaging in an unfair labor practice, the commission or court shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages.

(3) The commission may petition the Thurston county superior court for the enforcement of its order and for appropriate temporary relief.

Sec. 13. RCW 44.90.090 and 2022 c 283 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, terms, and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) Any item listed in section 4(1) of this act;

(b) The functions and programs of the employer, the use of technology, and the structure of the organization, including the size and composition of standing committees;

~~((b))~~ (c) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

~~((c))~~ (d) The right to direct and supervise employees;

~~((d))~~ (e) The hours of work during legislative session ~~((and the))~~. However, this subsection (2)(e) does not prohibit bargaining over compensation for hours worked in excess of 40 hours in a workweek in agreements that take effect after July 1, 2027;

(f) The cutoff calendar for a legislative session; ~~((and~~

~~((e))~~ (g) The employer's right to hire, terminate, and promote employees. Subject to any collective bargaining agreement, legislative employees hold their positions at the employer's pleasure;

(h) Health care benefits and other employee insurance benefits. The amount paid by a legislative employee for health care premiums must be the same as that paid by a represented state employee covered by RCW 41.80.020(3);

(i) The right to take whatever actions are deemed necessary to carry out the mission of the legislature and its agencies during emergencies; and

(j) Retirement plans and retirement benefits.

~~((2))~~ (3) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours, and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

NEW SECTION. Sec. 14. A new section is added to chapter 44.90 RCW to read as follows:

(1) Upon authorization of an employee within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the employer must deduct from the payments to the employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and must transmit the same to the treasurer of the exclusive bargaining representative.

(2)(a) An employee's written, electronic, or recorded voice authorization to have the employer deduct membership dues from the employee's salary must be made by the employee to the exclusive bargaining representative. If the employer receives a request for authorization of deductions, the employer must, as soon as practicable, forward the request to the exclusive bargaining representative.

(b) Upon receiving notice of the employee's authorization, the employer must deduct from the employee's salary membership dues and remit the amounts to the exclusive bargaining representative.

(c) The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the authorization.

(d) An employee's request to revoke authorization for payroll deductions must be in writing and submitted by the employee to the exclusive bargaining representative in accordance with the terms and conditions of the authorization.

(e) After the employer receives confirmation from the exclusive bargaining representative that the employee has revoked authorization for deductions, the employer must end the

deduction no later than the second payroll after receipt of the confirmation.

(f) The employer must rely on information provided by the exclusive bargaining representative regarding the authorization and revocation of deductions.

NEW SECTION. Sec. 15. A new section is added to chapter 44.90 RCW to read as follows:

(1) If the parties to a collective bargaining agreement negotiated under this chapter agree to final and binding arbitration under grievance procedures allowed by section 7 of this act, the parties may agree on one or more permanent umpires to serve as arbitrator, or may agree on any impartial person to serve as arbitrator, or may agree to select arbitrators from any source available to them, including federal and private agencies, in addition to the staff and list of arbitrators maintained by the commission. If the parties cannot agree to the selection of an arbitrator, the commission must supply a list of names in accordance with the procedures established by the commission.

(2) The authority of an arbitrator shall be subject to the limits and restrictions specified under section 4 of this act.

(3) Except as limited by this chapter, an arbitrator may require any person to attend as a witness and to bring with them any book, record, document, or other evidence. The fees for such attendance must be paid by the party requesting issuance of the subpoena and must be the same as the fees of witnesses in the superior court. Arbitrators may administer oaths. Subpoenas must issue and be signed by the arbitrator and must be served in the same manner as subpoenas to testify before a court of record in this state. If any person so summoned to testify refuses or neglects to obey such subpoena, upon petition authorized by the arbitrator, the superior court may compel the attendance of the person before the arbitrator or punish the person for contempt in the same manner provided for the attendance of witnesses or the punishment of them in the courts of this state.

(4) Except as limited by this chapter, the arbitrator shall appoint a time and place for the hearing and notify the parties thereof, and may adjourn the hearing from time to time as may be necessary, and, on application of either party and for good cause, may postpone the hearing to a time not extending beyond the date fixed by the collective bargaining agreement for making the award. The arbitration award must be in writing and signed by the arbitrator. The arbitrator must, promptly upon its rendition, serve a true copy of the award on each of the parties or their attorneys of record.

(5) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to submit a grievance for arbitration, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order compelling arbitration. Disputes concerning compliance with grievance procedures shall be reserved for determination by the arbitrator. Arbitration shall be ordered if the grievance states a claim that on its face is covered by the collective bargaining agreement. Doubts as to the coverage of the arbitration clause shall be resolved in favor of arbitration.

(6) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to comply with the award of an arbitrator determining a grievance arising under the collective bargaining agreement, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order enforcing the arbitration award.

NEW SECTION. Sec. 16. A new section is added to chapter 44.90 RCW to read as follows:

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(1) The following activities conducted by or on behalf of legislative employees related to collective bargaining under this chapter are exempt from the restrictions contained in RCW 42.52.020 and 42.52.160:

(a) Use of paid time and public resources for negotiating and administering collective bargaining agreements under this chapter;

(b) Lobbying conducted by an employee organization, lobbyist, association, or third party on behalf of legislative employees concerning legislation that directly impacts legislative workplace conditions;

(c) Communication with a prospective employee organization during nonwork hours and without the use of public resources; or

(d) Conducting the day-to-day work of organizing and representing legislative employees in the workplace while serving in a legislative employee organization leadership position.

(2)(a) Nothing in this section affects the application of the prohibition against the use of special privileges under RCW 42.52.070, confidentiality requirements under RCW 42.52.050, or other applicable provisions of chapter 42.52 RCW to legislative employees.

(b) Nothing in this section permits any direct lobbying by a legislative employee.

(3) As used in this section, "lobby" and "lobbyist" have the meanings provided in RCW 42.17A.005.

Sec. 17. RCW 42.52.020 and 1996 c 213 s 2 are each amended to read as follows:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

(2) This section does not apply to activities conducted by legislative employees authorized under section 16 of this act.

Sec. 18. RCW 42.52.160 and 2023 c 91 s 3 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed under RCW 42.52.070(2) or 42.52.822.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

(5) This section does not apply to activities conducted by legislative employees authorized under section 16 of this act.

NEW SECTION. Sec. 19. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect May 1, 2024."

On page 1, line 2 of the title, after "bargaining;" strike the remainder of the title and insert "amending RCW 44.90.020,

44.90.030, 44.90.050, 44.90.060, 44.90.070, 44.90.080, 44.90.090, 42.52.020, and 42.52.160; adding new sections to chapter 44.90 RCW; providing an effective date; and declaring an emergency."

MOTION

Senator Stanford moved that the following amendment no. 635 by Senator Stanford be adopted:

On page 13, beginning on line 27, after "employees." strike all material through "legislative" on line 28 and insert "Legislative"

Senators Stanford and King spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 635 by Senator Stanford on page 13, line 27 to the striking amendment.

The motion by Senator Stanford carried and amendment no. 635 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Keiser and without objection, amendment no. 636 by Senator Keiser on page 13, line 28 to striking amendment no. 631 was withdrawn.

MOTION

Senator Keiser moved that the following amendment no. 638 by Senator Keiser be adopted:

On page 13, line 29, after "pleasure" insert ". Provisions of this subsection (g) regarding legislative employees holding their positions at the employer's pleasure only applies to employees employed by a caucus or employed as legislative assistants or session aides"

Senator Keiser spoke in favor of adoption of the amendment to the striking amendment.

Senator Braun spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 638 by Senator Keiser on page 13, line 29 to the striking amendment.

The motion by Senator Keiser did not carry and amendment no. 638 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 631 by Senator Stanford as amended to Second Substitute Senate Bill No. 6194.

The motion by Senator Stanford carried and striking amendment no. 631 as amended was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6194 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and King spoke in favor of passage of the bill.

Senators Hasegawa and Conway spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6194.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Holy, Keiser, King, Kuderer, Liias, Lovick, Mullet, Pedersen, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, J.

Voting nay: Senators Boehnke, Dozier, Fortunato, Gildon, Hawkins, Hunt, Kauffman, Lovelett, MacEwen, McCune, Muzzall, Nguyen, Nobles, Padden, Randall, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, C. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5943, by Senators Gildon, Boehnke, Hasegawa, and C. Wilson

Developing a resource data tool to connect Washington residents to services and resources.

MOTIONS

On motion of Senator Gildon, Second Substitute Senate Bill No. 5943 was substituted for Senate Bill No. 5943 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5943, by Committee on Ways & Means (originally sponsored by Senators Gildon, Boehnke, Hasegawa, and C. Wilson)

Revised for second substitute: Conducting a feasibility study regarding a resource data tool to connect Washington residents to services and resources.

On motion of Senator Gildon, the rules were suspended, Second Substitute Senate Bill No. 5943 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Gildon and Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5943.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5943 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen,

Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Lovelett and Salomon

SECOND SUBSTITUTE SENATE BILL NO. 5943, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5857, by Senators Hunt and Nobles

Reorganizing statutes on campaign disclosure and contribution.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5857 was substituted for Senate Bill No. 5857 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5857, by Senate Committee on State Government & Elections (originally sponsored by Hunt, and Nobles)

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5857 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5857.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5857 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5857, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5799, by Senators Wilson, C., Trudeau, Dhingra, Hasegawa, Liias, Nobles, Salomon, Shewmake, Van De Wege, and Wellman

Concerning the sale of halal foods.

THIRTY THIRD DAY, FEBRUARY 9, 2024

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5799 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Muzzall, Trudeau and Salomon spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Hawkins was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5799.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5799 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Hawkins

SENATE BILL NO. 5799, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:22 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Monday, February 12, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, February 12, 2024

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Theo Lerner and Mr. James Carmony, presented the Colors.

Page Miss Kate Yu led the Senate in the Pledge of Allegiance.

The prayer was offered by Rabbi Keren Gorban, Temple Beth El of Tacoma.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 25, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ELI TAYLOR, reappointed January 25, 2024, for the term ending September 30, 2028, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9449.

February 1, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RAMONA BRANDES, appointed February 1, 2024, for the term ending August 2, 2026, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9450.

February 1, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CARL BRUNER, appointed February 1, 2024, for the term ending September 30, 2028, as Member of the Skagit Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9451.

February 5, 2024

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TRACY STANLEY, appointed February 5, 2024, for the term ending December 31, 2026, as Member of the State Investment Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9452.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 9, 2024

MR. PRESIDENT:

The House has passed:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300,
- HOUSE BILL NO. 1507,
- SUBSTITUTE HOUSE BILL NO. 1889,
- HOUSE BILL NO. 1943,
- SUBSTITUTE HOUSE BILL NO. 1945,
- HOUSE BILL NO. 1962,
- HOUSE BILL NO. 1992,
- SECOND SUBSTITUTE HOUSE BILL NO. 2022,
- HOUSE BILL NO. 2034,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131,
- ENGROSSED HOUSE BILL NO. 2199,
- SUBSTITUTE HOUSE BILL NO. 2252,
- SUBSTITUTE HOUSE BILL NO. 2287,
- HOUSE BILL NO. 2316,
- SECOND SUBSTITUTE HOUSE BILL NO. 2320,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2361,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 9, 2024

MR. PRESIDENT:

The House has passed:

- ENGROSSED SECOND SUBSTITUTE
- HOUSE BILL NO. 1368,
- SUBSTITUTE HOUSE BILL NO. 1453,

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SECOND SUBSTITUTE HOUSE BILL NO. 1877,
HOUSE BILL NO. 1901,
SUBSTITUTE HOUSE BILL NO. 1903,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1956,
SUBSTITUTE HOUSE BILL NO. 1974,
SUBSTITUTE HOUSE BILL NO. 1997,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2019,
SUBSTITUTE HOUSE BILL NO. 2020,
SUBSTITUTE HOUSE BILL NO. 2025,
SUBSTITUTE HOUSE BILL NO. 2136,
SUBSTITUTE HOUSE BILL NO. 2217,
SUBSTITUTE HOUSE BILL NO. 2348,
SUBSTITUTE HOUSE BILL NO. 2355,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2401,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 9, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1433,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2000,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2099,
SECOND SUBSTITUTE HOUSE BILL NO. 2214,
ENGROSSED HOUSE BILL NO. 2255,
ENGROSSED HOUSE BILL NO. 2266,
SECOND SUBSTITUTE HOUSE BILL NO. 2270,
SUBSTITUTE HOUSE BILL NO. 2283,
HOUSE BILL NO. 2433,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 10, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1185,
SUBSTITUTE HOUSE BILL NO. 1249,
HOUSE BILL NO. 1879,
SECOND SUBSTITUTE HOUSE BILL NO. 1929,
SUBSTITUTE HOUSE BILL NO. 1989,
SECOND SUBSTITUTE HOUSE BILL NO. 2014,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2037,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2311,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 9, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1835,
and the same is herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 1248 by House Committee on Appropriations
(originally sponsored by Representatives Stonier,
Harris, Senn, Simmons, Ryu, Reeves, Bergquist,
Eslick, Pollet and Reed)

AN ACT Relating to pupil transportation; amending RCW 28A.160.193 and 28A.160.140; and adding new sections to chapter 28A.160 RCW.

Referred to Committee on Early Learning & K-12 Education.

2ESHB 1371 by House Committee on Finance (originally sponsored by Representatives Barkis, Leavitt, Orcutt, Fey, Barnard, Chapman, Low, Connors, Goehner, Chambers, Chandler, Couture, Griffey, Hutchins, Robertson, Volz, Walsh, Christian, Doglio, Schmick and Gregerson)

AN ACT Relating to government incentives for improving freight railroad infrastructure; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding new sections to chapter 82.16 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Business, Financial Services, Gaming & Trade.

2SHB 1391 by House Committee on Appropriations
(originally sponsored by Representatives Ramel,
Doglio, Duerr, Berry, Pollet and Reed)

AN ACT Relating to energy in buildings; amending RCW 70A.50.010; adding new sections to chapter 70A.50 RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

E2SHB 1692 by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Bergquist, Christian, Gregerson, Santos, Pollet, Macri and Simmons)

AN ACT Relating to increasing youth engagement in the legislative process by creating student advisory groups to examine issues important to youth; amending RCW 43.15.095; adding a new section to chapter 28A.345 RCW; adding a new chapter to Title 44 RCW; creating new sections; and providing an expiration date.

Referred to Committee on State Government & Elections.

HB 1752 by Representatives Dye, Dent, Graham and Eslick

AN ACT Relating to modifying the application of the annual consumptive quantity calculation to change applications related to certain water rights held by the United States bureau of reclamation; and amending RCW 90.03.380.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1892 by House Committee on Housing (originally sponsored by Representatives Leavitt, Alvarado, Bateman, Peterson, Shavers, Reed, Fosse, Hackney,

Barkis, Low, Eslick, Callan, Abbarno, Taylor, Klicker, Connors, Walen, Reeves, Ryu, Berry, Cortes, Stearns, Slatter, Duerr, Bronoske, Ramos, Ormsby, Barnard, Fey, Timmons, Kloba, Macri, Street, Chopp, Paul, Gregerson, Sandlin, Orwall, Bergquist, Goodman, Ortiz-Self, Nance, Santos and Pollet)

AN ACT Relating to the workforce housing accelerator program; and adding a new chapter to Title 43 RCW.

Referred to Committee on Housing.

SHB 1905 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Mena, Senn, Berry, Cortes, Morgan, Ortiz-Self, Ramel, Ramos, Bateman, Reed, Ormsby, Callan, Kloba, Macri, Street, Gregerson, Doglio, Orwall, Bergquist, Goodman, Reeves, Lekanoff, Hackney, Fosse, Pollet, Davis and Simmons)

AN ACT Relating to including protected classes in the Washington equal pay and opportunities act; amending RCW 49.58.005, 49.58.010, 49.58.020, and 49.58.030; adding a new section to chapter 49.58 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SHB 1915 by House Committee on Education (originally sponsored by Representatives Rude, Stonier, Connors, Riccelli, Couture, Senn, McEntire, Santos, Steele, Bergquist, Harris, Walen, McClintock, Eslick, Cheney, Thai, Ortiz-Self, Bronoske, Leavitt, Corry, Tharinger, Low, Ryu, Christian, Slatter, Schmidt, Ramel, Barkis, Ramos, Cortes, Morgan, Reed, Graham, Ormsby, Barnard, Jacobsen, Fey, Timmons, Callan, Rule, Street, Chopp, Doglio, Sandlin, Goodman, Caldier, Berg, Robertson, Wylie, Hutchins, Reeves, Lekanoff, Shavers, Davis and Griffey)

AN ACT Relating to making financial education instruction a graduation prerequisite and a required component of public education; amending RCW 28A.300.468; adding a new section to chapter 28A.230 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

ESHB 1932 by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Gregerson, Farivar, Peterson, Alvarado, Berry, Ramel, Stearns, Mena, Bateman, Reed, Simmons, Ormsby, Macri, Street, Orwall, Goodman, Berg, Lekanoff, Reeves, Nance, Riccelli and Fosse)

AN ACT Relating to shifting general elections for local governments to even-numbered years to increase voter participation; amending RCW 29A.04.330, 35.17.020, 35.18.270, 35.23.051, 35.27.090, 35.30.080, 35A.02.050, and 3.50.040; and creating a new section.

Referred to Committee on State Government & Elections.

HB 1946 by Representatives Eslick, Leavitt, Ryu, Slatter, Duerr, Ramos, Senn, Reed, Graham, Callan, Timmons, Macri, Paul, Harris, Lekanoff, Riccelli, Pollet and Davis

AN ACT Relating to creating the Washington health corps behavioral health scholarship program; amending RCW 28B.115.030, 28B.115.080, 28B.115.090, 28B.115.120, and 28B.115.135; and reenacting and amending RCW 28B.115.070.

Referred to Committee on Higher Education & Workforce Development.

SHB 1947 by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Street, Couture, Ryu, Gregerson, Reed, Ormsby and Reeves; by request of Consolidated Technology Services)

AN ACT Relating to governance of technology services in state government; amending RCW 43.105.006, 43.105.007, 43.105.020, 43.105.025, 43.105.052, 43.105.054, 43.105.220, 43.105.240, 43.105.245, 43.105.255, 43.105.265, 43.105.285, 43.105.287, 43.105.342, 43.105.359, 43.105.369, 43.105.375, 43.105.385, 43.105.450, 43.105.331, 2.36.054, 2.36.057, 2.36.0571, 2.68.060, 19.27.076, 29A.08.760, 38.52.040, 39.26.090, 39.26.100, 39.26.235, 40.14.020, 40.26.020, 41.05.031, 41.06.070, 41.06.094, 41.06.142, 41.07.020, 42.17A.060, 42.17A.705, 43.41.391, 43.41.440, 43.41.442, 43.41.444, 43.63A.550, 43.70.054, 43.88.090, 43.88.092, 43.371.090, 43.42A.030, 43.41.430, 43.330.534, 43.371.020, 44.68.065, 46.20.037, 46.20.157, 70A.02.110, and 71.24.898; reenacting and amending RCW 39.94.040, 43.88.160, and 50A.25.070; adding a new section to chapter 38.52 RCW; recodifying RCW 43.105.331; and repealing RCW 41.06.101 and 43.105.205.

Referred to Committee on Environment, Energy & Technology.

HB 1948 by Representatives Ybarra, Fitzgibbon, Reed, Graham, Ormsby, Doglio and Pollet

AN ACT Relating to ensuring that methods for calculating the electric load of utilities under the energy independence act do not have the effect of discouraging voluntary investments in renewable power; amending RCW 19.285.030; and reenacting and amending RCW 19.285.040.

Referred to Committee on Environment, Energy & Technology.

ESHB 1957 by House Committee on Health Care & Wellness (originally sponsored by Representatives Riccelli, Macri, Ryu, Leavitt, Senn, Reed, Ormsby, Callan, Doglio, Fosse, Goodman, Lekanoff, Wylie, Pollet and Davis)

AN ACT Relating to preserving coverage of preventive services without cost sharing; and amending RCW 48.43.047.

Referred to Committee on Health & Long-Term Care.

HB 1963 by Representatives Ramos, Fitzgibbon, Ryu, Berry, Duerr, Reed, Callan, Donaghy and Hackney

AN ACT Relating to prohibiting license plate covers; amending RCW 46.16A.200; and adding a new section to chapter 46.16A RCW.

Referred to Committee on Transportation.

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HB 1967 by Representatives Jacobsen, Couture, Graham and Calder

AN ACT Relating to excluding any person who is convicted of a hit and run resulting in death from being eligible for a first-time offender waiver; and amending RCW 9.94A.650.

Referred to Committee on Law & Justice.

HB 1975 by Representatives Ortiz-Self, Ryu, Berry, Ramel, Reed, Simmons, Ormsby, Fey, Kloba, Macri, Street, Fosse, Bergquist, Reeves, Wylie and Pollet; by request of Employment Security Department

AN ACT Relating to relieving individuals from paying interest on certain unemployment insurance overpayment assessments; amending RCW 50.20.190; and creating a new section.

Referred to Committee on Labor & Commerce.

HB 1982 by Representatives Waters, Shavers, Ryu, Couture, Ramos, McClintock, Callan, Cheney, Doglio, Sandlin, Paul, Harris, Berg, Tharinger, Riccelli and Santos

AN ACT Relating to the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband; amending RCW 43.160.020; adding a new section to chapter 43.160 RCW; and creating a new section.

Referred to Committee on Business, Financial Services, Gaming & Trade.

HB 1983 by Representatives Simmons, Goodman, Reed and Davis

AN ACT Relating to the criminal justice treatment account; and amending RCW 71.24.580.

Referred to Committee on Ways & Means.

SHB 1999 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Orwall, Leavitt, Ryu, Duerr, Ramos, Morgan, Taylor, Ormsby, Graham, Callan, Rule, Street, Lekanoff, Reeves, Shavers and Davis)

AN ACT Relating to fabricated intimate or sexually explicit images and depictions; amending RCW 9.68A.011, 9.68A.055, 9.68A.110, 9.68A.170, 9.68A.180, 9.68A.190, 9A.86.010, 9A.86.020, 7.110.010, 7.110.020, 7.110.030, 7.110.050, and 7.110.060; adding a new section to chapter 9A.86 RCW; adding a new section to chapter 7.110 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 2031 by Representatives Abbarno, Berry, Rude, Reed, Graham, Timmons, Donaghy, Fosse, Doglio, Riccelli and Reeves

AN ACT Relating to recognizing posttraumatic stress disorder as an occupational disease for county coroners, examiners, and investigative personnel; and amending RCW 51.08.142.

Referred to Committee on Labor & Commerce.

SHB 2056 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Goodman, Cheney and Reeves; by request of Administrative Office of the Courts)

AN ACT Relating to information sharing and limited investigative authority of supreme court bailiffs; amending RCW 10.97.050; and adding a new section to chapter 2.04 RCW.

Referred to Committee on Law & Justice.

SHB 2061 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Bronoske, Ramel, Berry, Reed, Fosse, Lekanoff, Pollet and Kloba)

AN ACT Relating to defining an employee of a health care facility for purposes of mandatory overtime provisions; amending RCW 49.28.130; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SHB 2072 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Farivar, Taylor, Ryu, Reeves, Slatter, Reed, Ormsby, Ramel, Macri, Goodman, Fosse, Riccelli and Hackney; by request of Attorney General)

AN ACT Relating to the antitrust penalties improvement act; amending RCW 19.86.140; and creating new sections.

Referred to Committee on Law & Justice.

SHB 2075 by House Committee on Health Care & Wellness (originally sponsored by Representatives Lekanoff, Stearns, Reed, Ortiz-Self and Reeves)

AN ACT Relating to licensing of Indian health care providers as establishments; and amending RCW 71.12.460.

Referred to Committee on Health & Long-Term Care.

EHB 2088 by Representatives Orwall, Reed, Ormsby, Ramel, Macri, Cheney, Lekanoff, Riccelli, Wylie and Reeves; by request of Health Care Authority

AN ACT Relating to extending liability protections for responders dispatched from mobile rapid response crisis teams and community-based crisis teams; and amending RCW 71.24.907.

Referred to Committee on Law & Justice.

SHB 2091 by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Bronoske, Griffey, Leavitt, Fitzgibbon, Chapman, Reed, Ormsby, Ramel, Callan, Rule, Timmons, Bergquist, Goodman, Rude, Fosse, Nance, Ryu, Schmidt, Stearns, Waters, Paul, Reeves and Kloba; by request of Department of Natural Resources)

AN ACT Relating to establishing a fallen firefighter memorial; adding new sections to chapter 43.34 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SHB 2102 by House Committee on Health Care & Wellness (originally sponsored by Representatives Berry, Reed, Ormsby, Nance and Pollet)

AN ACT Relating to establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits; amending RCW 70.02.030; and adding a new section to chapter 70.02 RCW.

Referred to Committee on Health & Long-Term Care.

HB 2110 by Representatives Nance, Simmons, Callan, Lekanoff and Reeves

AN ACT Relating to reorganizing statutory requirements governing high school graduation by reordering requirements, making nonsubstantive revisions, and removing expired provisions; amending RCW 28A.230.090, 28A.655.260, 28A.230.212, 28A.230.300, 28A.230.320, 28A.150.220, 28A.300.900, 28A.300.750, and 28A.305.130; reenacting and amending RCW 28A.655.250; adding new sections to chapter 28A.230 RCW; and recodifying RCW 28A.320.208, 28A.655.250, and 28A.655.260.

Referred to Committee on Early Learning & K-12 Education.

2SHB 2112 by House Committee on Appropriations (originally sponsored by Representatives Nance, Leavitt, Simmons, Reed, Ormsby, Callan, Rule, Orwall, Paul, Timmons, Lekanoff, Riccelli, Wylie, Reeves, Shavers, Pollet, Kloba and Davis)

AN ACT Relating to opioid and fentanyl prevention education and awareness at institutions of higher education; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

HB 2135 by Representatives Stearns, Lekanoff, Reed, Ormsby, Street, Orwall, Doglio and Reeves; by request of Military Department

AN ACT Relating to including federally recognized tribes as part of the Washington emergency management division emergency worker program; and amending RCW 38.52.010 and 38.52.180.

Referred to Committee on State Government & Elections.

HB 2137 by Representatives Berg, Orcutt, Sandlin, Doglio, Dent and Reeves

AN ACT Relating to technical changes to allowable exemptions from charges for tourism promotion area assessments; amending RCW 35.101.055; and creating a new section.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SHB 2156 by House Committee on Consumer Protection & Business (originally sponsored by Representatives Reeves, Doglio and Pollet; by request of Department of Commerce)

AN ACT Relating to solar consumer protections; and adding a new chapter to Title 19 RCW.

Referred to Committee on Labor & Commerce.

EHB 2164 by Representatives Pollet, Slatter, Leavitt, Reed and Reeves

AN ACT Relating to postsecondary education consumer protections; and amending RCW 28B.85.020, 28B.85.070, 28B.85.090, and 28B.85.095.

Referred to Committee on Higher Education & Workforce Development.

ESHB 2191 by House Committee on Transportation (originally sponsored by Representatives Timmons, Duerr, Reed, Ramel and Reeves)

AN ACT Relating to adding two voting members that are transit users to the governing body of public transportation benefit areas; amending RCW 36.57A.050; and providing an effective date.

Referred to Committee on Transportation.

SHB 2216 by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Cheney, Leavitt, Walen, Santos, Couture, Graham, Reed, Rude and Davis)

AN ACT Relating to reducing barriers to state employment by eliminating two-year and four-year degree requirements that are unnecessary; amending RCW 41.06.157; and creating a new section.

Referred to Committee on State Government & Elections.

SHB 2224 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Rule and Graham)

AN ACT Relating to the risks, strengths, and needs assessment tool used in the risk assessment process when investigating alleged child abuse and neglect referrals; amending RCW 26.44.030; creating a new section; and providing an expiration date.

Referred to Committee on Human Services.

HB 2302 by Representatives Dent, Chapman, Davis and Timmons

AN ACT Relating to extending the pesticide application safety committee; amending RCW 70.104.110; amending 2019 c 327 s 1 (uncodified); and providing expiration dates.

Referred to Committee on Labor & Commerce.

HB 2318 by Representatives Orcutt, Wylie, Cheney and Abbarno
AN ACT Relating to state route number 501; and amending RCW 47.17.640.

Referred to Committee on Transportation.

ESHB 2321 by House Committee on Housing (originally sponsored by Representatives Bateman, Barkis, Duerr, Reed and Pollet)

AN ACT Relating to modifying middle housing requirements and the definitions of transit stop; amending

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RCW 36.70A.635; and reenacting and amending RCW 36.70A.030.

Referred to Committee on Housing.

SHB 2347 by House Committee on Health Care & Wellness (originally sponsored by Representatives Reeves, Harris, Chambers, Davis, Bateman, Doglio, Macri and Reed)

AN ACT Relating to website information published by the department of social and health services regarding adult family homes; and amending RCW 70.128.280.

Referred to Committee on Health & Long-Term Care.

ESHB 2356 by House Committee on Transportation (originally sponsored by Representatives Fey, Nance and Pollet)

AN ACT Relating to speed safety camera systems; amending RCW 46.16A.120, 46.20.270, 46.63.110, and 46.63.200; and prescribing penalties.

Referred to Committee on Transportation.

EHB 2372 by Representatives Lekanoff, Stearns, Leavitt, Davis, Nance, Reed, Chopp, Ormsby and Pollet

AN ACT Relating to transferring public property to Washington state federally recognized tribes for facilities to provide alcohol and substance use disorder prevention, treatment, and aftercare programs and services, and for behavioral health and related programs and services; adding a new section to chapter 39.33 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SHB 2381 by House Committee on Education (originally sponsored by Representatives McEntire, Shavers and Chapman; by request of Superintendent of Public Instruction)

AN ACT Relating to increasing eligibility for economy and efficiency flexible school calendar waivers; and amending RCW 28A.150.222.

Referred to Committee on Early Learning & K-12 Education.

SHB 2396 by House Committee on Health Care & Wellness (originally sponsored by Representatives Mosbrucker, Davis, Couture, Rule, Barkis, Jacobsen and Pollet)

AN ACT Relating to fentanyl and other synthetic opioids; adding a new section to chapter 43.70 RCW; adding a new section to chapter 70.48 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

HB 2415 by Representatives Cortes, Ramel and Pollet

AN ACT Relating to expanding economic assistance for individuals who are eligible for temporary assistance for needy families; amending RCW 74.08A.210; and providing an effective date.

Referred to Committee on Human Services.

SHB 2428 by House Committee on Local Government (originally sponsored by Representatives Klicker, Rude and Springer)

AN ACT Relating to allowing cities to voluntarily share certain sales and use tax revenue; adding a new section to chapter 39.34 RCW; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hawkins moved that JC Baldwin, Senate Gubernatorial Appointment No. 9362, be confirmed as a member of the Transportation Commission.

Senators Hawkins and Wellman spoke in favor of passage of the motion.

MOTION

On motion of Senator Wagoner, Senators Fortunato and Padden were excused.

APPOINTMENT OF JC BALDWIN

The President declared the question before the Senate to be the confirmation of JC Baldwin, Senate Gubernatorial Appointment No. 9362, as a member of the Transportation Commission.

The Secretary called the roll on the confirmation of JC Baldwin, Senate Gubernatorial Appointment No. 9362, as a member of the Transportation Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Fortunato

JC Baldwin, Senate Gubernatorial Appointment No. 9362, having received the constitutional majority was declared confirmed as a member of the Transportation Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Holy moved that Allyson L. Brooks, Senate Gubernatorial Appointment No. 9218, be confirmed as a member of The Evergreen State College Board of Trustees.

Senators Holy and Hunt spoke in favor of passage of the motion.

APPOINTMENT OF ALLYSON L. BROOKS

The President declared the question before the Senate to be the confirmation of Allyson L. Brooks, Senate Gubernatorial Appointment No. 9218, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Allyson L. Brooks, Senate Gubernatorial Appointment No. 9218, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Fortunato

Allyson L. Brooks, Senate Gubernatorial Appointment No. 9218, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pedersen moved that Dennis L. Matthews, Senate Gubernatorial Appointment No. 9233, be confirmed as a member of the Washington Center for Deaf and Hard of Hearing Youth.

Senator Randall spoke in favor of the motion.

APPOINTMENT OF DENNIS L. MATTHEWS

The President declared the question before the Senate to be the confirmation of Dennis L. Matthews, Senate Gubernatorial Appointment No. 9233, as a member of the Washington Center for Deaf and Hard of Hearing Youth.

The Secretary called the roll on the confirmation of Dennis L. Matthews, Senate Gubernatorial Appointment No. 9233, as a member of the Washington Center for Deaf and Hard of Hearing Youth and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Fortunato

Dennis L. Matthews, Senate Gubernatorial Appointment No. 9233, having received the constitutional majority was declared confirmed as a member of the Washington Center for Deaf and Hard of Hearing Youth.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Van De Wege moved that Claire S. Roney, Gubernatorial Appointment No. 9385, be confirmed as a member of the Peninsula College Board of Trustees.

Senator Van De Wege spoke in favor of the motion.

APPOINTMENT OF CLAIRE S. RONEY

The President declared the question before the Senate to be the confirmation of Claire S. Roney, Gubernatorial Appointment No. 9385, as a member of the Peninsula College Board of Trustees.

The Secretary called the roll on the confirmation of Claire S. Roney, Gubernatorial Appointment No. 9385, as a member of the Peninsula College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Fortunato

Claire S. Roney, Gubernatorial Appointment No. 9385, having received the constitutional majority was declared confirmed as a member of the Peninsula College Board of Trustees.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6187, by Senators Saldaña, Hasegawa, Torres, Trudeau, Valdez, and Wilson, C.

Concerning the body scanner pilot program at the department of corrections.

MOTION

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 6187 was substituted for Senate Bill No. 6187 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6187, by Senate Committee on Ways & Means (originally sponsored by Saldaña, Hasegawa, Torres, Trudeau, Valdez, and Wilson, C.)

WITHDRAWAL OF AMENDMENT

THIRTY SIXTH DAY, FEBRUARY 12, 2024

On motion of Senator Robinson and without objection, amendment no. 581 by Senator Robinson on page 1, line 9 to Substitute Senate Bill No. 6187 was withdrawn.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Second Substitute Senate Bill No. 6187 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6187.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6187 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6187, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6039, by Senators Lovelett, Shewmake, Dhingra, Frame, Hasegawa, Keiser, Lias, Nguyen, Nobles, and Saldaña

Promoting the development of geothermal energy resources.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 6039 was substituted for Senate Bill No. 6039 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6039, by Senate Committee on Environment, Energy & Technology (originally sponsored by Lovelett, Shewmake, Dhingra, Frame, Hasegawa, Keiser, Lias, Nguyen, Nobles, and Saldaña)

Senator Lovelett moved that the following striking amendment no. 637 by Senator Lovelett be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.92 RCW to read as follows:

(1) The geological survey shall compile and maintain a comprehensive database of publicly available subsurface geologic information relating to Washington state. The geological

survey must make the database available to the public in a searchable format via the geological survey's website.

(2) The subsurface geologic information contained on the website should include, but is not limited to, the following:

- (a) Temperature gradient logs;
- (b) Geothermal well records;
- (c) High resolution magnetotelluric surveys;
- (d) High resolution gravity surveys;
- (e) Geothermal play fairway studies;
- (f) Three-dimensional reflection seismic surveys; and
- (g) Rock properties databases.

(3) The geological survey must:

- (a) Coordinate with federal, state, and local agencies to compile existing subsurface geologic information;
- (b) Acquire, process, and analyze new subsurface geologic data and update deficient data using the best practicable technology;
- (c) Using available data, characterize the hazard of induced seismicity for high-potential geothermal play areas. Results of induced seismicity hazard studies must be made publicly available and updated as new information is available; and
- (d) Provide technical assistance on the proper interpretation and application of subsurface geologic data and hazard assessments.

Sec. 2. RCW 79.13.530 and 2003 c 334 s 465 are each amended to read as follows:

(1) In an effort to increase potential revenue to the geothermal account, the department shall, by December 1, 1991, adopt rules providing guidelines and procedures for leasing state-owned land for the development of geothermal resources.

(2)(a) By September 30, 2024, the department must commence rule making to update its geothermal resources lease rates. The updated geothermal resources lease rates must comply with the terms established in this section.

(b) Geothermal resources lease rates must be competitive with geothermal resources lease rates adopted by the federal government and by other states in the western portion of the United States.

(c) The goal of the updated geothermal resources lease rates must be to optimize the state's competitiveness at attracting geothermal exploration and development projects while balancing the state's obligation to trust beneficiaries.

NEW SECTION. **Sec. 3.** A new section is added to chapter 43.31 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, a competitive geothermal exploration cost-share grant program is established in order to incentivize deep exploratory drilling to identify locations suitable for the development of geothermal energy.

(2) Grants may be awarded to offset the direct costs associated with the expense of conducting deep exploratory drilling for the purpose of identifying locations in Washington suitable for the development of geothermal energy.

(3) The department of commerce must consult with the Washington geological survey to develop a method and criteria for the allocation of grants, subject to the following:

(a) Proposed exploratory drilling projects should be located in areas of high geothermal potential;

(b) Grant applicants should possess, or should demonstrate a partnership or other form of relationship with entities who possess, demonstrated expertise in successful geothermal exploration;

(c) Grant applicants should meet high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career

development opportunities, and must maximize access to economic benefits from exploratory projects for local workers;

(d) Selection and implementation of exploratory drilling projects should align with equity and environmental justice principles as established in chapter 70A.02 RCW;

(e) Grant awards must be available to private, public, and federally recognized tribal applicants. Grant awards to private grant applicants should be for no more than one-half of the overall cost of the project and grant awards to public grant applicants should be for no more than two-thirds of the overall cost of the project;

(f) Grant applicants must demonstrate that they have, or that they will have by the time of the execution of a grant agreement, site control of the site that is the subject of the exploration effort, either through an ownership interest or through a lease agreement that provides access to the site and the right to drill to the proposed depth;

(g) The grant application must demonstrate the applicant's engagement efforts with the local community to provide information about the potential project;

(h) If any fluid is proposed to be injected as part of the exploratory drilling, the grant applicant must:

(i) Include an analysis of any potential for induced seismicity as a result of the injection, as well as a plan for the management of the risk of induced seismicity; and

(ii) Consult with the department of ecology and, if applicable, comply with underground injection control standards and groundwater antidegradation standards as directed in chapter 90.48 RCW;

(i) The award of grants will seek to broaden the state's knowledge of geothermal resources, with a preference given to high impact projects in favorable geologic settings that have been comparatively underexplored; and

(j) All results of any exploratory drilling performed with grant funds must be made publicly available and must be submitted to the Washington geological survey for inclusion in the database created pursuant to section 1 of this act.

(4) In the course of administering the geothermal exploration cost-share grant program, the department of commerce shall make a reasonable effort to utilize the United States department of energy recommendations and guidelines concerning enhanced geothermal demonstration projects in the western states.

NEW SECTION. Sec. 4. (1) The department of ecology, in consultation with the department of commerce, the department of natural resources, the department of fish and wildlife, and the department of archaeology and historic preservation, shall engage in a collaborative process to identify opportunities and risks associated with the development of geothermal resources in three locations with the highest geothermal potential in Washington. The department of natural resources must identify these three locations.

(2)(a) As part of the geothermal resources collaborative process, the department of ecology must engage in meaningful government-to-government consultation with potentially affected federally recognized Indian tribes by learning from each participating tribe about their communication protocols for consultation and must seek participation from the department of archaeology and historic preservation, other state agencies as appropriate, local governments, state research institutions, participants in Washington's electrical generation, transmission, and distribution sector, and environmental organizations. At the request of potentially affected federally recognized Indian tribes, the department of ecology may include additional participation with independent subject matter expertise.

(b) Subject to the availability of amounts appropriated for this specific purpose, the department of ecology shall provide grants to potentially affected federally recognized Indian tribes to support their evaluation of the cultural, natural resource, and other impacts of geothermal electricity development and to support their participation in the collaborative process established in this section.

(3) The geothermal resources collaborative process must address, at a minimum, the following topics:

(a) The potential impacts of geothermal resources development, including impacts to:

(i) Rights, interests, and resources, including tribal cultural resources, of potentially affected federally recognized Indian tribes;

(ii) State or federal endangered species act listed species in Washington; and

(iii) Overburdened communities;

(b) The development of factors to guide the identification of preferable sites for the development of geothermal resources including, but not limited to, geologic suitability, proximity to electrical transmission and distribution infrastructure, and continuity between groundwater and surface water resources; and

(c) The capacity for geothermal resources in Washington to help the state meet its clean energy generation requirements and greenhouse gas emissions limits.

(4) The department of ecology must commence the geothermal resources collaborative process by November 30, 2024. The department of ecology must provide the appropriate committees of the legislature an update on the status of the collaborative process by June 30, 2026. The department of ecology must provide the appropriate committees of the legislature with a final report on the collaborative process by June 30, 2027.

(5) The interagency clean energy siting coordinating council must support the department of ecology during the collaborative process. The interagency clean energy siting coordinating council must consider the findings of the interim update and final report and make recommendations to the legislature and governor on potential actions regarding the development of geothermal energy, as appropriate. Based on the findings of the collaborative process, the interagency clean energy siting coordinating council must identify key factors for consideration in planning and siting of geothermal facilities. These key factors include, but are not limited to, geologic suitability, water resource impacts, and proximity to electrical transmission and distribution infrastructure."

On page 1, line 2 of the title, after "resources;" strike the remainder of the title and insert "amending RCW 79.13.530; adding a new section to chapter 43.92 RCW; adding a new section to chapter 43.31 RCW; and creating a new section."

Senators Lovelett and MacEwen spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 637 by Senator Lovelett to Substitute Senate Bill No. 6039.

The motion by Senator Lovelett carried and striking amendment no. 637 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Substitute Senate Bill No. 6039 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

THIRTY SIXTH DAY, FEBRUARY 12, 2024

Senators Lovelett, MacEwen and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6039.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6039 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6039, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5934, by Senators Padden, Van De Wege, Dhingra, Liias, Salomon, and Warnick

Concerning pollinator habitat.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5934 was substituted for Senate Bill No. 5934 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5934, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Padden, Van De Wege, Dhingra, Liias, Salomon, and Warnick)

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5934 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5934.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5934 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,

Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5934, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5213, by Senators Kuderer, Short, Cleveland, Conway, Dhingra, Rolfes, Wellman, and C. Wilson

Concerning pharmacy benefit managers.

MOTIONS

On motion of Senator Kuderer, Second Substitute Senate Bill No. 5213 was substituted for Senate Bill No. 5213 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5213, by Committee on Ways & Means (originally sponsored by Senators Kuderer, Short, Cleveland, Conway, Dhingra, Rolfes, Wellman, and C. Wilson)

Revised for 2nd Substitute: Concerning pharmacy benefit managers.

Senator Kuderer moved that the following striking amendment no. 570 by Senator Kuderer be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.200.020 and 2020 c 240 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Affiliate" or "affiliated employer" means a person who directly or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, another specified person.

(2) "Certification" has the same meaning as in RCW 48.43.005.

(3) "Employee benefits programs" means programs under both the public employees' benefits board established in RCW 41.05.055 and the school employees' benefits board established in RCW 41.05.740.

(4)(a) "Health care benefit manager" means a person or entity providing services to, or acting on behalf of, a health carrier or employee benefits programs, that directly or indirectly impacts the determination or utilization of benefits for, or patient access to, health care services, drugs, and supplies including, but not limited to:

- (i) Prior authorization or preauthorization of benefits or care;
- (ii) Certification of benefits or care;
- (iii) Medical necessity determinations;
- (iv) Utilization review;
- (v) Benefit determinations;
- (vi) Claims processing and repricing for services and procedures;
- (vii) Outcome management;
- (viii) ~~Provider credentialing and recredentialing;~~

~~(ix))~~) Payment or authorization of payment to providers and facilities for services or procedures;

~~((ix))~~ (ix) Dispute resolution, grievances, or appeals relating to determinations or utilization of benefits;

~~((ix))~~ (x) Provider network management; or

~~((ix))~~ (xi) Disease management.

(b) "Health care benefit manager" includes, but is not limited to, health care benefit managers that specialize in specific types of health care benefit management such as pharmacy benefit managers, radiology benefit managers, laboratory benefit managers, and mental health benefit managers.

(c) "Health care benefit manager" does not include:

(i) Health care service contractors as defined in RCW 48.44.010;

(ii) Health maintenance organizations as defined in RCW 48.46.020;

(iii) Issuers as defined in RCW 48.01.053;

(iv) The public employees' benefits board established in RCW 41.05.055;

(v) The school employees' benefits board established in RCW 41.05.740;

(vi) Discount plans as defined in RCW 48.155.010;

(vii) Direct patient-provider primary care practices as defined in RCW 48.150.010;

(viii) An employer administering its employee benefit plan or the employee benefit plan of an affiliated employer under common management and control;

(ix) A union administering a benefit plan on behalf of its members;

(x) An insurance producer selling insurance or engaged in related activities within the scope of the producer's license;

(xi) A creditor acting on behalf of its debtors with respect to insurance, covering a debt between the creditor and its debtors;

(xii) A behavioral health administrative services organization or other county-managed entity that has been approved by the state health care authority to perform delegated functions on behalf of a carrier;

(xiii) A hospital licensed under chapter 70.41 RCW or ambulatory surgical facility licensed under chapter 70.230 RCW, to the extent that it performs provider credentialing or recredentialing, but no other functions of a health care benefit manager as described in subsection (4)(a) of this section;

(xiv) The Robert Bree collaborative under chapter 70.250 RCW;

(xv) The health technology clinical committee established under RCW 70.14.090; ~~((x))~~

(xvi) The prescription drug purchasing consortium established under RCW 70.14.060; or

(xvii) Any other entity that performs provider credentialing or recredentialing, but no other functions of a health care benefit manager as described in subsection (4)(a) of this section.

(5) "Health care provider" or "provider" has the same meaning as in RCW 48.43.005.

(6) "Health care service" has the same meaning as in RCW 48.43.005.

(7) "Health carrier" or "carrier" has the same meaning as in RCW 48.43.005.

(8) "Laboratory benefit manager" means a person or entity providing service to, or acting on behalf of, a health carrier, employee benefits programs, or another entity under contract with a carrier, that directly or indirectly impacts the determination or utilization of benefits for, or patient access to, health care services, drugs, and supplies relating to the use of clinical laboratory services and includes any requirement for a health care provider to submit a notification of an order for such services.

(9) "Mental health benefit manager" means a person or entity providing service to, or acting on behalf of, a health carrier, employee benefits programs, or another entity under contract with a carrier, that directly or indirectly impacts the determination of utilization of benefits for, or patient access to, health care services, drugs, and supplies relating to the use of mental health services and includes any requirement for a health care provider to submit a notification of an order for such services.

(10) "Network" means the group of participating providers, pharmacies, and suppliers providing health care services, drugs, or supplies to beneficiaries of a particular carrier or plan.

(11) "Person" includes, as applicable, natural persons, licensed health care providers, carriers, corporations, companies, trusts, unincorporated associations, and partnerships.

(12)(a) "Pharmacy benefit manager" means a person that contracts with pharmacies on behalf of an insurer, a third-party payor, or the prescription drug purchasing consortium established under RCW 70.14.060 to:

(i) Process claims for prescription drugs or medical supplies or provide retail network management for pharmacies or pharmacists;

(ii) Pay pharmacies or pharmacists for prescription drugs or medical supplies;

(iii) Negotiate rebates, discounts, or other price concessions with manufacturers for drugs paid for or procured as described in this subsection;

(iv) ~~((Manage))~~ Establish or manage pharmacy networks; or

(v) Make credentialing determinations.

(b) "Pharmacy benefit manager" does not include a health care service contractor as defined in RCW 48.44.010.

(13)(a) "Radiology benefit manager" means any person or entity providing service to, or acting on behalf of, a health carrier, employee benefits programs, or another entity under contract with a carrier, that directly or indirectly impacts the determination or utilization of benefits for, or patient access to, the services of a licensed radiologist or to advanced diagnostic imaging services including, but not limited to:

(i) Processing claims for services and procedures performed by a licensed radiologist or advanced diagnostic imaging service provider; or

(ii) Providing payment or payment authorization to radiology clinics, radiologists, or advanced diagnostic imaging service providers for services or procedures.

(b) "Radiology benefit manager" does not include a health care service contractor as defined in RCW 48.44.010, a health maintenance organization as defined in RCW 48.46.020, or an issuer as defined in RCW 48.01.053.

(14) "Utilization review" has the same meaning as in RCW 48.43.005.

(15) "Covered person" has the same meaning as in RCW 48.43.005.

(16) "Mail order pharmacy" means a pharmacy that primarily dispenses prescription drugs to patients through the mail or common carrier.

(17) "Pharmacy network" means the pharmacies located in the state or licensed under chapter 18.64 RCW and contracted by a pharmacy benefit manager to dispense prescription drugs to covered persons.

Sec. 2. RCW 48.200.030 and 2020 c 240 s 3 are each amended to read as follows:

(1) To conduct business in this state, a health care benefit manager must register with the commissioner and annually renew the registration.

(2) To apply for registration with the commissioner under this section, a health care benefit manager must:

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(a) Submit an application on forms and in a manner prescribed by the commissioner and verified by the applicant by affidavit or declaration under chapter 5.50 RCW. Applications must contain at least the following information:

(i) The identity of the health care benefit manager and of persons with any ownership or controlling interest in the applicant including relevant business licenses and tax identification numbers, and the identity of any entity that the health care benefit manager has a controlling interest in;

(ii) The business name, address, phone number, and contact person for the health care benefit manager;

(iii) Any areas of specialty such as pharmacy benefit management, radiology benefit management, laboratory benefit management, mental health benefit management, or other specialty;

(iv) A copy of the health care benefit manager's certificate of registration with the Washington state secretary of state; and

~~((++))~~ (v) Any other information as the commissioner may reasonably require.

(b) Pay an initial registration fee and annual renewal registration fee as established in rule by the commissioner. The fees for each registration must be set by the commissioner in an amount that ensures the registration, renewal, and oversight activities are self-supporting. If one health care benefit manager has a contract with more than one carrier, the health care benefit manager must complete only one application providing the details necessary for each contract.

(3) All receipts from fees collected by the commissioner under this section must be deposited into the insurance commissioner's regulatory account created in RCW 48.02.190.

(4) Before approving an application for or renewal of a registration, the commissioner must find that the health care benefit manager:

(a) Has not committed any act that would result in denial, suspension, or revocation of a registration;

(b) Has paid the required fees; and

(c) Has the capacity to comply with, and has designated a person responsible for, compliance with state and federal laws.

(5) Any material change in the information provided to obtain or renew a registration must be filed with the commissioner within thirty days of the change.

(6) Every registered health care benefit manager must retain a record of all transactions completed for a period of not less than seven years from the date of their creation. All such records as to any particular transaction must be kept available and open to inspection by the commissioner during the seven years after the date of completion of such transaction.

Sec. 3. RCW 48.200.050 and 2020 c 240 s 5 are each amended to read as follows:

(1) Upon notifying a carrier or health care benefit manager of an inquiry or complaint filed with the commissioner pertaining to the conduct of a health care benefit manager identified in the inquiry or complaint, the commissioner must provide notice of the inquiry or complaint ~~((concurrently))~~ to the health care benefit manager ~~((and))~~. Notice must also be sent to any carrier to which the inquiry or complaint pertains. The commissioner shall respond to and investigate complaints related to the conduct of a health care benefit manager subject to this chapter directly, without requiring that the complaint be pursued exclusively through a contracting carrier.

(2) Upon receipt of an inquiry from the commissioner, a health care benefit manager must provide to the commissioner within fifteen business days, in the form and manner required by the commissioner, a complete response to that inquiry including, but not limited to, providing a statement or testimony, producing its

accounts, records, and files, responding to complaints, or responding to surveys and general requests. Failure to make a complete or timely response constitutes a violation of this chapter.

(3) Subject to chapter 48.04 RCW, if the commissioner finds that a health care benefit manager or any person responsible for the conduct of the health care benefit manager's affairs has:

(a) Violated any provision of this chapter or insurance law, or violated any rule, subpoena, or order of the commissioner or of another state's insurance commissioner;

(b) Failed to renew the health care benefit manager's registration;

(c) Failed to pay the registration or renewal fees;

(d) Provided incorrect, misleading, incomplete, or materially untrue information to the commissioner, to a carrier, or to a beneficiary;

(e) Used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, or financial irresponsibility in this state or elsewhere; or

(f) Had a health care benefit manager registration, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory;

the commissioner may take any combination of the following actions against a health care benefit manager or any person responsible for the conduct of the health care benefit manager's affairs, other than an employee benefits program:

(i) Place on probation, suspend, revoke, or refuse to issue or renew the health care benefit manager's registration;

(ii) Issue a cease and desist order against the health care benefit manager ~~((and))~~, contracting carrier, or both;

(iii) Fine the health care benefit manager up to five thousand dollars per violation, and the contracting carrier is subject to a fine for acts conducted under the contract;

(iv) Issue an order requiring corrective action against the health care benefit manager, the contracting carrier acting with the health care benefit manager, or both the health care benefit manager and the contracting carrier acting with the health care benefit manager; and

(v) Temporarily suspend the health care benefit manager's registration by an order served by mail or by personal service upon the health care benefit manager not less than three days prior to the suspension effective date. The order must contain a notice of revocation and include a finding that the public safety or welfare requires emergency action. A temporary suspension under this subsection (3)(f)(v) continues until proceedings for revocation are concluded.

(4) A stay of action is not available for actions the commissioner takes by cease and desist order, by order on hearing, or by temporary suspension.

(5)(a) Health carriers and employee benefits programs are responsible for the compliance of any person or organization acting directly or indirectly on behalf of or at the direction of the carrier or program, or acting pursuant to carrier or program standards or requirements concerning the coverage of, payment for, or provision of health care benefits, services, drugs, and supplies.

(b) A carrier or program contracting with a health care benefit manager is responsible for the health care benefit manager's violations of this chapter, including a health care benefit manager's failure to produce records requested or required by the commissioner.

(c) No carrier or program may offer as a defense to a violation of any provision of this chapter that the violation arose from the act or omission of a health care benefit manager, or other person acting on behalf of or at the direction of the carrier or program,

rather than from the direct act or omission of the carrier or program.

Sec. 4. RCW 48.200.210 and 2020 c 240 s 10 are each amended to read as follows:

The definitions in this section apply throughout this section and RCW 48.200.220 through 48.200.290 unless the context clearly requires otherwise.

(1) "Audit" means an on-site or remote review of the records of a pharmacy by or on behalf of an entity.

(2) "Claim" means a request from a pharmacy or pharmacist to be reimbursed for the cost of filling or refilling a prescription for a drug or for providing a medical supply or service.

(3) "Clerical error" means a minor error:

(a) In the keeping, recording, or transcribing of records or documents or in the handling of electronic or hard copies of correspondence;

(b) That does not result in financial harm to an entity; and

(c) That does not involve dispensing an incorrect dose, amount, or type of medication, failing to dispense a medication, or dispensing a prescription drug to the wrong person.

(4) "Entity" includes:

(a) A pharmacy benefit manager;

(b) An insurer;

(c) A third-party payor;

(d) A state agency; or

(e) A person that represents or is employed by one of the entities described in this subsection.

(5) "Fraud" means knowingly and willfully executing or attempting to execute a scheme, in connection with the delivery of or payment for health care benefits, items, or services, that uses false or misleading pretenses, representations, or promises to obtain any money or property owned by or under the custody or control of any person.

(6) "Pharmacist" has the same meaning as in RCW 18.64.011.

(7) "Pharmacy" has the same meaning as in RCW 18.64.011.

(8) "Third-party payor" means a person licensed under RCW 48.39.005.

Sec. 5. RCW 48.200.280 and 2020 c 240 s 15 are each amended to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "List" means the list of drugs for which ~~((predetermined))~~ reimbursement costs have been established ~~((such as a maximum allowable cost or maximum allowable cost list or any other benchmark prices utilized by the pharmacy benefit manager and must include the basis of the methodology and sources utilized))~~ to determine ~~((multisource generic drug))~~ reimbursement amounts.

(b) "Multiple source drug" means ~~((a therapeutically equivalent drug that is available from at least two manufacturers))~~ any covered outpatient prescription drug for which there is at least one other drug product that is rated as therapeutically equivalent under the food and drug administration's most recent publication of "Approved Drug Products with Therapeutic Equivalence Evaluations"; is pharmaceutically equivalent or bioequivalent, as determined by the food and drug administration; and is sold or marketed in the state.

(c) ~~((("Multisource generic drug" means any covered outpatient prescription drug for which there is at least one other drug product that is rated as therapeutically equivalent under the food and drug administration's most recent publication of "Approved Drug Products with Therapeutic Equivalence Evaluations;" is pharmaceutically equivalent or bioequivalent, as determined by the food and drug administration; and is sold or marketed in the state during the period.~~

~~(d))~~ "Network pharmacy" means a retail drug outlet licensed as a pharmacy under RCW 18.64.043 that contracts with a pharmacy benefit manager.

~~((e))~~ (d) "Therapeutically equivalent" has the same meaning as in RCW 69.41.110.

(2) A pharmacy benefit manager:

(a) May not place a drug on a list unless there are at least two therapeutically equivalent multiple source drugs, or at least one generic drug available from only one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers;

(b) Shall ensure that all drugs on a list are readily available for purchase by pharmacies in this state from national or regional wholesalers that serve pharmacies in Washington;

(c) Shall ensure that all drugs on a list are not obsolete;

(d) Shall make available to each network pharmacy at the beginning of the term of a contract, and upon renewal of a contract, the sources utilized to determine the ~~((predetermined))~~ reimbursement costs for ~~((multisource generic))~~ multiple source drugs of the pharmacy benefit manager;

(e) Shall make a list available to a network pharmacy upon request in a format that is readily accessible to and usable by the network pharmacy;

(f) Shall update each list maintained by the pharmacy benefit manager every seven business days and make the updated lists, including all changes in the price of drugs, available to network pharmacies in a readily accessible and usable format;

(g) Shall ensure that dispensing fees are not included in the calculation of the ~~((predetermined))~~ reimbursement costs for ~~((multisource generic))~~ multiple source drugs;

(h) May not cause or knowingly permit the use of any advertisement, promotion, solicitation, representation, proposal, or offer that is untrue, deceptive, or misleading;

(i) May not charge a pharmacy a fee related to the adjudication of a claim, credentialing, participation, certification, accreditation, or enrollment in a network including, but not limited to, a fee for the receipt and processing of a pharmacy claim, for the development or management of claims processing services in a pharmacy benefit manager network, or for participating in a pharmacy benefit manager network, and may not condition or link restrictions on fees related to credentialing, participation, certification, or enrollment in a pharmacy benefit manager's pharmacy network with a pharmacy's inclusion in the pharmacy benefit manager's pharmacy network for other lines of business;

(j) May not require accreditation standards inconsistent with or more stringent than accreditation standards established by a national accreditation organization;

(k) May not reimburse a pharmacy in the state an amount less than the amount the pharmacy benefit manager reimburses an affiliate for providing the same pharmacy services; ~~((and))~~

(l) May not directly or indirectly retroactively deny or reduce a claim or aggregate of claims after the claim or aggregate of claims has been adjudicated, unless:

(i) The original claim was submitted fraudulently; or

(ii) The denial or reduction is the result of a pharmacy audit conducted in accordance with RCW 48.200.220; and

(m) May not exclude a pharmacy from their pharmacy network based solely on the pharmacy being newly opened or open less than a defined amount of time, or because a license or location transfer occurs, unless there is a pending investigation for fraud, waste, and abuse.

(3) A pharmacy benefit manager must establish a process by which a network pharmacy, or its representative, may appeal its reimbursement for a drug ~~((subject to predetermined~~

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reimbursement costs for multisource generic drugs)). A network pharmacy may appeal a ~~((predetermined reimbursement cost))~~ reimbursement amount paid by a pharmacy benefit manager for a ~~((multisource generic))~~ drug if the reimbursement for the drug is less than the net amount that the network pharmacy paid to the supplier of the drug. An appeal requested under this section must be completed within thirty calendar days of the pharmacy submitting the appeal. If after thirty days the network pharmacy has not received the decision on the appeal from the pharmacy benefit manager, then the appeal is considered denied.

The pharmacy benefit manager shall uphold the appeal of a pharmacy with fewer than fifteen retail outlets, within the state of Washington, under its corporate umbrella if the pharmacy or pharmacist can demonstrate that it is unable to purchase a therapeutically equivalent interchangeable product from a supplier doing business in Washington at the pharmacy benefit manager's list price.

(4) Before a pharmacy or pharmacist files an appeal pursuant to this section, upon request by a pharmacy or pharmacist, a pharmacy benefit manager must provide a current and accurate list of bank identification numbers, processor control numbers, and pharmacy group identifiers for health plans and self-funded group health plans that have opted in to sections 5, 7, and 8 of this act pursuant to section 9 of this act with which the pharmacy benefit manager either has a current contract or had a contract that has been terminated within the past 12 months to provide pharmacy benefit management services.

(5) A pharmacy benefit manager must provide as part of the appeals process established under subsection (3) of this section:

(a) A telephone number at which a network pharmacy may contact the pharmacy benefit manager and speak with an individual who is responsible for processing appeals; and

(b) If the appeal is denied, the reason for the denial and the national drug code of a drug that has been purchased by other network pharmacies located in Washington at a price that is equal to or less than the ~~((predetermined))~~ reimbursement ~~((cost))~~ amount paid by the pharmacy benefit manager for the ~~((multisource generic))~~ drug. A pharmacy with ~~((fifteen))~~ 15 or more retail outlets, within the state of Washington, under its corporate umbrella may submit information to the commissioner about an appeal under subsection (3) of this section for purposes of information collection and analysis.

~~((5))~~ (6)(a) If an appeal is upheld under this section, the pharmacy benefit manager shall make a reasonable adjustment on a date no later than one day after the date of determination.

(b) If the request for an adjustment has come from a critical access pharmacy, as defined by the state health care authority by rule for purposes related to the prescription drug purchasing consortium established under RCW 70.14.060, the adjustment approved under (a) of this subsection shall apply only to critical access pharmacies.

~~((6))~~ (7) Beginning July 1, 2017, if a network pharmacy appeal to the pharmacy benefit manager is denied, or if the network pharmacy is unsatisfied with the outcome of the appeal, the pharmacy or pharmacist may dispute the decision and request review by the commissioner within thirty calendar days of receiving the decision.

(a) All relevant information from the parties may be presented to the commissioner, and the commissioner may enter an order directing the pharmacy benefit manager to make an adjustment to the disputed claim, deny the pharmacy appeal, or take other actions deemed fair and equitable. An appeal requested under this section must be completed within thirty calendar days of the request.

(b) Upon resolution of the dispute, the commissioner shall provide a copy of the decision to both parties within seven calendar days.

(c) The commissioner may authorize the office of administrative hearings, as provided in chapter 34.12 RCW, to conduct appeals under this subsection ~~((6))~~ (7).

(d) A pharmacy benefit manager may not retaliate against a pharmacy for pursuing an appeal under this subsection ~~((6))~~ (7).

(e) This subsection ~~((6))~~ (7) applies only to a pharmacy with fewer than fifteen retail outlets, within the state of Washington, under its corporate umbrella.

~~((7))~~ (8) This section does not apply to the state medical assistance program.

NEW SECTION. Sec. 6. A new section is added to chapter 48.200 RCW to read as follows:

Each health care benefit manager registered under this chapter shall appoint the insurance commissioner as its attorney to receive service of, and upon whom service must be served, all legal process issued against it in this state upon causes of action arising within this state. Service upon the commissioner as attorney constitutes service upon the health care benefit manager.

NEW SECTION. Sec. 7. A new section is added to chapter 48.200 RCW to read as follows:

(1) A pharmacy benefit manager may not:

(a) Reimburse a network pharmacy an amount less than the contract price between the pharmacy benefit manager and the insurer, third-party payor, or the prescription drug purchasing consortium the pharmacy benefit manager has contracted with;

(b) Require a covered person to pay more at the point of sale for a covered prescription drug than is required under RCW 48.43.430; or

(c) Solicit, coerce, or incentivize a patient to use their owned or affiliated pharmacies.

(2) A pharmacy benefit manager shall:

(a) Apply the same cost-sharing amounts, fees, days allowance, and other conditions upon a covered person when the covered person obtains a prescription drug from a pharmacy that is included in the pharmacy benefit manager's pharmacy network, including mail order pharmacies;

(b) Permit the covered person to receive delivery or mail order of a prescription drug through any network pharmacy that is not primarily engaged in dispensing prescription drugs to patients through the mail or common carrier; and

(c) For new prescriptions issued after the effective date of this section, receive affirmative authorization from a covered person before filling prescriptions through a mail order pharmacy.

(3) If a covered person is using a mail order pharmacy, the pharmacy benefit manager shall:

(a) Allow for dispensing at local network pharmacies under the following circumstances to ensure patient access to prescription drugs:

(i) If the prescription is delayed more than one day after the expected delivery date provided by the mail order pharmacy; or

(ii) If the prescription drug arrives in an unusable condition; and

(b) Ensure patients have easy and timely access to prescription counseling by a pharmacist.

NEW SECTION. Sec. 8. A new section is added to chapter 48.200 RCW to read as follows:

(1) A pharmacy benefit manager may not retaliate against a pharmacist or pharmacy for disclosing information in a court, in an administrative hearing, or legislative hearing, if the pharmacist or pharmacy has a good faith belief that the disclosed information is evidence of a violation of a state or federal law, rule, or regulation.

(2) A pharmacy benefit manager may not retaliate against a pharmacist or pharmacy for disclosing information to a government or law enforcement agency, if the pharmacist or pharmacy has a good faith belief that the disclosed information is evidence of a violation of a state or federal law, rule, or regulation.

(3) A pharmacist or pharmacy shall make reasonable efforts to limit the disclosure of confidential and proprietary information.

(4) Retaliatory actions against a pharmacy or pharmacist include cancellation of, restriction of, or refusal to renew or offer a contract to a pharmacy solely because the pharmacy or pharmacist has:

(a) Made disclosures of information that the pharmacist or pharmacy believes is evidence of a violation of a state or federal law, rule, or regulation;

(b) Filed complaints with the plan or pharmacy benefit manager; or

(c) Filed complaints against the plan or pharmacy benefit manager with the commissioner.

NEW SECTION. Sec. 9. A new section is added to chapter 48.200 RCW to read as follows:

(1) Sections 5, 7, and 8 of this act apply to a pharmacy benefit manager's conduct pursuant to a contract with a self-funded group health plan governed by the provisions of the federal employee retirement income security act of 1974 (29 U.S.C. Sec. 1001 et seq.) only if the self-funded group health plan elects to participate in sections 5, 7, and 8 of this act. To elect to participate in these provisions, a self-funded group health plan or its administrator shall provide notice, on a periodic basis, to the commissioner in a manner and by a date prescribed by the commissioner, attesting to the plan's participation and agreeing to be bound by sections 5, 7, and 8 of this act. A self-funded group health plan or its administrator that elects to participate under this section, and any pharmacy benefit manager it contracts with, shall comply with sections 5, 7, and 8 of this act.

(2) The commissioner does not have enforcement authority related to a pharmacy benefit manager's conduct pursuant to a contract with a self-funded group health plan governed by the federal employee retirement income security act of 1974, 29 U.S.C. Sec. 1001 et seq., that elects to participate in sections 5, 7, and 8 of this act.

Sec. 10. RCW 41.05.017 and 2022 c 236 s 3, 2022 c 228 s 2, and 2022 c 10 s 2 are each reenacted and amended to read as follows:

Each health plan that provides medical insurance offered under this chapter, including plans created by insuring entities, plans not subject to the provisions of Title 48 RCW, and plans created under RCW 41.05.140, are subject to the provisions of RCW 48.43.500, 70.02.045, 48.43.505 through 48.43.535, 48.43.537, 48.43.545, 48.43.550, 70.02.110, 70.02.900, 48.43.190, 48.43.083, 48.43.0128, 48.43.780, 48.43.435, 48.43.815, and chapters 48.49 and 48.200 RCW.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. Sections 5 and 7 through 9 of this act take effect January 1, 2026."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "health care benefit managers; amending RCW 48.200.020, 48.200.030, 48.200.050, 48.200.210, and 48.200.280; reenacting and amending RCW 41.05.017; adding new sections to chapter 48.200 RCW; and providing an effective date."

MOTION

Senator Kuderer moved that the following amendment no. 575 by Senator Kuderer be adopted:

On page 15, line 37, after "48.43.815," insert "48.200.020 through 48.200.280, sections 6 through 8 of this act."

On page 15, line 37, after "and" strike "chapters 48.49 and 48.200" and insert "chapter 48.49"

Senator Kuderer spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 575 by Senator Kuderer on page 15, line 37 to striking amendment no. 570.

The motion by Senator Kuderer carried and amendment no. 575 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 570 by Senator Kuderer as amended to Second Substitute Senate Bill No. 5213.

The motion by Senator Kuderer carried and striking amendment no. 570 as amended was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5213 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Revised for engrossed: Concerning health care benefit managers.

Senators Kuderer, Short, Rivers and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5213.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5213 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, Kuderer, Lovelett, Lovick, McCune, Mullet, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Braun, Conway, King, Lias, MacEwen, Muzzall, Salomon and Van De Wege

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6179, by Senators MacEwen, Keiser, and Nguyen

THIRTY SIXTH DAY, FEBRUARY 12, 2024

Concerning the use of biometric age verification by liquor licensees.

MOTIONS

On motion of Senator MacEwen, Substitute Senate Bill No. 6179 was substituted for Senate Bill No. 6179 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6179, by Senate Committee on Labor & Commerce (originally sponsored by MacEwen, Keiser, and Nguyen)

Senator MacEwen moved that the following striking amendment no. 642 by Senator MacEwen be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 66.20.170 and 2016 c 235 s 7 are each amended to read as follows:

(1) A card of identification may for the purpose of this title and for the purpose of procuring liquor, be accepted (~~(as an identification card)~~) by any licensee (~~and~~) as evidence of legal age of the person presenting such card, provided the licensee complies with the conditions and procedures prescribed herein and such regulations as may be made by the board.

(2)(a) A biometric age verification system may for the purpose of this title and for the purpose of procuring liquor, be relied upon by any licensee as evidence of legal age of the person using the biometric age verification system, provided the licensee complies with the conditions and procedures prescribed herein and such regulations as may be made by the board.

(b) A biometric age verification system must:

(i) Use a biometric system;

(ii) Use an electronic authorization process and processes to verify the validity of a card of identification and the identity of the holder of such card of identification;

(iii) Verify the person enrolling in the biometric system is the same as the card of identification holder and securely store the data captured from the card of identification in the biometric system;

(iv) Provide an indication that the card of identification holder meets the age eligibility requirement upon future scans of the biometric characteristic used in the biometric system; and

(v) Maintain records as established by the board.

(c) Use of a biometric age verification system is a mitigating circumstance the board may consider to impose a different penalty than the standard penalties established by the board.

(d) The use of a biometric age verification system is optional for a licensee and a person procuring liquor. Any licensee that relies on a biometric age verification system shall post near its entrance a notice visible to the public that a card of identification may be presented as evidence of legal age of a person instead of participation in the biometric age verification system. When a purchase of liquor occurs separate from a physical point of sale location, the notice must be provided wherever consumers are directed to a biometric age verification system.

(3) A licensee may not collect a person's biometric identifiers to be used in a biometric age verification system except with consent from the person. The consent required under this section must be obtained before enrolling in the biometric system. Consumers must be informed of the categories of data that will be collected, including the specific ways in which it will be used

consistent with this chapter, and how a consumer may withdraw consent and request deletion of the data collected.

(4) No person may utilize any data collected for a biometric age verification system pursuant to this section for any purpose other than for age verification for the purchase of liquor. Such transaction may include the purchase of other products and services concurrently with the purchase of liquor.

(5) The legislature finds that the practices regarding biometric age verification systems covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this section by a biometric age verification system provider is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for purposes of applying the consumer protection act, chapter 19.86 RCW. This section related to biometric age verification systems may be enforced solely by the attorney general under the consumer protection act, chapter 19.86 RCW.

NEW SECTION. Sec. 2. A new section is added to chapter 66.20 RCW to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Biometric identifier" means data that is generated from the measurement or technological processing of an individual's biological characteristics and that identifies a consumer including, but not limited to, retina or iris scans, scans of face geometry, fingerprint or palmprint mapping, and voiceprints that are used to identify a specific individual. "Biometric identifier" does not include a physical or digital photograph, video or audio recording or data generated therefrom, or information collected, used, or stored for health care treatment, payment, or operations under the federal health insurance portability and accountability act of 1996.

(2) "Biometric system" means an automated identification system used to capture, process, and store a biometric identifier, compare the biometric identifier to one or more references, and match the biometric identifier to a specific individual.

(3) "Card of identification" means identification issued by any United States state, United States territory, or the District of Columbia, tribal or federal government, as well as any physical identification document issued by a foreign government that contains the holder's photos, date of birth, and signature except on United States federally issued identification where a visible signature is not required.

(4) "Consent" means a clear affirmative act that signifies a consumer's freely given, specific, informed, voluntary, and unambiguous agreement, which may include written consent provided by electronic means. "Consent" may not be obtained by:

(a) A consumer's acceptance of a general or broad terms of use agreement or a similar document that contains descriptions of personal data processing along with other unrelated information; or

(b) A consumer's agreement obtained through the use of deceptive designs.

(5) "Deceptive designs" means a user interface designed or manipulated with the effect of subverting or impairing user autonomy, decision making, or choice."

On page 1, line 2 of the title, after "licensees;" strike the remainder of the title and insert "amending RCW 66.20.170; and adding a new section to chapter 66.20 RCW."

Senators MacEwen and Keiser spoke in favor of adoption of the striking amendment.

ROLL CALL

The President declared the question before the Senate to be the adoption of striking amendment no. 642 by Senator MacEwen to Substitute Senate Bill No. 6179.

The motion by Senator MacEwen carried and striking amendment no. 642 was adopted by voice vote.

MOTION

On motion of Senator MacEwen, the rules were suspended, Engrossed Substitute Senate Bill No. 6179 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6179.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6179 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6269, by Senators Valdez, Hunt, Kuderer, Nobles, and Saldaña

Establishing an alternative voter verification options pilot project.

MOTIONS

On motion of Senator Valdez, Substitute Senate Bill No. 6269 was substituted for Senate Bill No. 6269 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6269, by Senate Committee on State Government & Elections (originally sponsored by Valdez, Hunt, Kuderer, Nobles, and Saldaña)

On motion of Senator Valdez, the rules were suspended, Substitute Senate Bill No. 6269 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6269.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6269 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6269, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5837, by Senators Valdez, Kuderer, Hasegawa, Hunt, Nobles, and Trudeau

Codifying the state election database to publish, evaluate, and analyze certain election data.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Senate Bill No. 5837 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5837.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5837 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SENATE BILL NO. 5837, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5667, by Senators Muzzall, Van De Wege, Short, Wagoner, and Wellman

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Concerning eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 5667 was substituted for Senate Bill No. 5667 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5667, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Muzzall, Van De Wege, Short, Wagoner, and Wellman)

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 5667 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5667.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5667 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5667, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6163, by Senators Wilson, J., Lovelett, Hasegawa, Nobles, and Saldaña

Concerning biosolids.

MOTIONS

On motion of Senator Wilson, J., Substitute Senate Bill No. 6163 was substituted for Senate Bill No. 6163 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6163, by Senate Committee on Environment, Energy & Technology (originally sponsored by Wilson, J., Lovelett, Hasegawa, Nobles, and Saldaña)

On motion of Senator Wilson, J., the rules were suspended, Substitute Senate Bill No. 6163 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J. and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6163.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6163 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6163, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:40 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 2:06 p.m. by President Heck.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5284, by Senate Committee on State Government & Elections (originally sponsored by Nguyen, Billig, Frame, Hunt, Keiser, Kuderer, Shewmake, and Wilson, C.)

Concerning campaign finance disclosure.

The bill was read on Third Reading.

MOTION

On motion of Senator Nguyen, the rules were suspended and Engrossed Substitute Senate Bill No. 5284 was returned to second reading for the purposes of amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Nguyen and without objection, amendment no. 600 by Senator Nguyen to Engrossed Substitute Senate Bill No. 5284 was withdrawn.

MOTION

Senator Nguyen moved that the following striking amendment no. 649 by Senator Nguyen be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 42.17A.345 and 2019 c 428 s 26 are each amended to read as follows:

(1) Each commercial advertiser who has accepted or provided political advertising or electioneering communications during the election campaign shall maintain current books of account and related materials as provided by rule that shall be open for public inspection during normal business hours during the campaign and for a period of no less than five years after the date of the applicable election. The documents and books of account shall specify:

(a) The names and addresses of persons from whom it accepted political advertising or electioneering communications;

(b) The exact nature and extent of the services rendered; and

(c) The total cost and the manner of payment for the services.

(2) At the request of the commission, each commercial advertiser required to comply with subsection (1) of this section shall provide to the commission copies of the information that must be maintained and be open for public inspection pursuant to subsection (1) of this section.

(3) Any person who purchases political advertising or electioneering communications from a commercial advertiser must disclose upon request from the commercial advertiser:

(a) That the purchase includes political advertising or electioneering communications;

(b) The name of the sponsor, if different than the person making the purchase; and

(c) Any other information the commercial advertiser is required to maintain, as provided by this section or rule.

(4) Any failure to provide the required information in subsection (3) of this section upon request is a violation under this chapter, but such failure shall not relieve a commercial advertiser of any of the requirements under this section.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "modifying commercial advertising requirements related to the disclosure of political advertising and electioneering communications; amending RCW 42.17A.345; and declaring an emergency."

MOTION

Senator Wilson, J. moved that the following amendment no. 652 by Senator Wilson, J. be adopted:

On page 2, line 8, after "section." insert "However, any commercial advertiser that makes a good faith effort to collect the required information shall be relieved of the requirements of this section."

Senator Wilson, J. spoke in favor of adoption of the amendment to the striking amendment.

Senator Nguyen spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 652 by Senator Wilson, J. on page 2, line 8 to Engrossed Substitute Senate Bill No. 5284.

The motion by Senator Wilson, J. did not carry and amendment no. 652 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 649 by Senator Nguyen to Engrossed Substitute Senate Bill No. 5284.

The motion by Senator Nguyen carried and striking amendment no. 649 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Second Engrossed Substitute Senate Bill No. 5284 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5284.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5284 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5284, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5889, by Senators Kauffman, Frame, Hasegawa, Keiser, Kuderer, Liias, Nguyen, Nobles, Shewmake, Stanford, and Wilson, C.

Establishing the customer voice council.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Senate Bill No. 5889 was advanced to third reading, the second

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reading considered the third and the bill was placed on final passage.

Senators Kauffman and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5889.

The President Pro Tempore assumed the chair, Senator Keiser presiding.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5889 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, King, MacEwen, McCune, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SENATE BILL NO. 5889, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President Pro Tempore announced a brief pause to allow staff to resolve remote voting and microphone system issues.

SECOND READING

SENATE BILL NO. 6146, by Senators Dhingra, Kauffman, Robinson, Stanford, Hasegawa, Randall, Wellman, Kuderer, Lovelett, Nobles, Saldaña, Shewmake, Valdez, and Wilson, C.

Concerning tribal warrants.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 6146 was substituted for Senate Bill No. 6146 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6146, by Senate Committee on Law & Justice (originally sponsored by Dhingra, Kauffman, Robinson, Stanford, Hasegawa, Randall, Wellman, Kuderer, Lovelett, Nobles, Saldaña, Shewmake, Valdez, and Wilson, C.)

Senator Padden moved that the following amendment no. 658 by Senator Padden be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.10 RCW to read as follows:

(1) The office of solicitor general shall prepare a report to the legislature making recommendations regarding the feasibility and necessary legal requirements of permitting Washington law enforcement officers to make arrests pursuant to the arrest warrants of federally recognized tribes located within the borders

of the state of Washington and permitting Washington state law enforcement officers and Washington state places of detention to return fugitives from the jurisdiction of such tribes to the requesting tribe. The recommendations shall include, but are not limited to, the following:

(a) Legal parameters of providing warrant reciprocity to and between the several tribes of Washington state; and

(b) Mechanisms to ensure non-Indians who are subject to tribal arrest warrants are afforded due process rights commensurate with those provided under the Washington state Constitution and the laws of Washington.

(2) The office of solicitor general shall provide the relevant committees of the legislature a preliminary report no later than July 1, 2025, and shall provide a final report no later than December 1, 2025."

On page 1, line 1 of the title, after "warrants;" strike the remainder of the title and insert "and add adding a new section to chapter 43.10 RCW."

Senator Padden spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 658 by Senator Padden to Substitute Senate Bill No. 6146.

The motion by Senator Padden did not carry and amendment no. 658 was not adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 6146 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6146.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6146 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators McCune, Mullet, Padden and Short

SUBSTITUTE SENATE BILL NO. 6146, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6115, by Senators King, Lias, Lovick, Nobles, Saldaña, Shewmake, and Wilson, C.

Concerning speed safety camera systems.

MOTION

On motion of Senator King, Substitute Senate Bill No. 6115 was substituted for Senate Bill No. 6115 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6115, by Senate Committee on Transportation (originally sponsored by King, Liias, Lovick, Nobles, Saldaña, Shewmake, and Wilson, C.)

MOTION

Senator Wilson, J. moved that the following amendment no. 651 by Senator Wilson, J. be adopted:

On page 8, line 10, after "(b)" strike "\$248" and insert "\$75"
 On page 11, line 24, after "safety" strike "including, but" and insert "~~((including, but))~~, with an emphasis on law enforcement patrols of state highway work zones. "Traffic safety" includes, but is"

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senators Liias and King spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 651 by Senator Wilson, J. on page 8, line 10 to Substitute Senate Bill No. 6115.

The motion by Senator Wilson, J. did not carry and amendment no. 651 was not adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6115 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Liias spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6115.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6115 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Fortunato, Hawkins, Lovelett, MacEwen, McCune, Padden, Schoesler and Wilson, J.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6115, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6263, by Senators Wilson, L., Boehnke, Cleveland, Conway, Keiser, Lovelett, Lovick, Rivers, Schoesler, Torres, and Wellman

Concerning death benefits provided by the 1955 act for firefighters' relief and pensions.

The measure was read the second time.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Senate Bill No. 6263 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6263.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6263 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SENATE BILL NO. 6263, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5591, by Senators Nobles, Mullet, Frame, Kuderer, Lovelett, Nguyen, Randall, Trudeau, Valdez, and Wilson, C.

Providing dependent youth with financial education and support.

MOTIONS

On motion of Senator Nobles, Second Substitute Senate Bill No. 5591 was substituted for Senate Bill No. 5591 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5591, by Senate Committee on Ways & Means (originally sponsored by Nobles, Mullet, Frame, Kuderer, Lovelett, Nguyen, Randall, Trudeau, Valdez, and Wilson, C.)

Providing dependent youth with financial education and support.

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On motion of Senator Nobles, the rules were suspended, Second Substitute Senate Bill No. 5591 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nobles spoke in favor of passage of the bill.

The President resumed the chair, Lt. Governor Heck presiding.

Senator Boehnke spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5591.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5591 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liiias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SECOND SUBSTITUTE SENATE BILL NO. 5591, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6110, by Senators Keiser, Lovick, Nobles, Van De Wege, Wagoner, and Wilson, C.

Modernizing the child fatality statute.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 6110 was substituted for Senate Bill No. 6110 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6110, by Senate Committee on Human Services (originally sponsored by Keiser, Lovick, Nobles, Van De Wege, Wagoner, and Wilson, C.)

Senator Gildon moved that the following amendment no. 596 by Senator Gildon be adopted:

On page 2, line 34, after "administrative" strike ", civil, or criminal" and insert "~~(civil, or criminal)~~ or civil"

On page 3, beginning on line 6, after "administrative" strike ", civil, or criminal" and insert "~~(civil, or criminal)~~ or civil"

On page 4, beginning on line 20, after "administrative" strike ", civil, or criminal" and insert "or civil"

Senators Gildon and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 596 by Senator Gildon on page 2, line 34 to Substitute Senate Bill No. 6110.

The motion by Senator Gildon carried and amendment no. 596 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6110 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6110.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6110 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liiias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

ENGROSSED SUBSTITUTE SENATE BILL NO. 6110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5873, by Senators Wellman, Wilson, C., Hasegawa, Hunt, Kuderer, Nguyen, Nobles, Trudeau, and Valdez

Providing adequate and predictable student transportation.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 5873 was substituted for Senate Bill No. 5873 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5873, by Senate Committee on Ways & Means (originally sponsored by Wellman, Wilson, C., Hasegawa, Hunt, Kuderer, Nguyen, Nobles, Trudeau, and Valdez)

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 5873 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5873.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5873 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 5873, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6031, by Senators Braun, Dozier, Kuderer, Rivers, and Schoesler

Modifying the student transportation allocation to accommodate multiple vehicle types for transporting students.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 6031 was substituted for Senate Bill No. 6031 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6031, by Senate Committee on Ways & Means (originally sponsored by Braun, Dozier, Kuderer, Rivers, and Schoesler)

Senator Braun moved that the following amendment no. 634 by Senator Braun be adopted:

On page 4, after line 36, insert the following:

"Sec. 5. RCW 28A.160.210 and 2006 c 263 s 906 are each amended to read as follows:

(1) In addition to other powers and duties, the superintendent of public instruction shall adopt rules governing the training and qualifications of school bus drivers. Such rules shall be designed to insure that persons will not be employed to operate school buses unless they possess such physical health and driving skills as are necessary to safely operate school buses: PROVIDED, That such rules shall insure that school bus drivers are provided a due process hearing before any certification required by such rules is canceled: PROVIDED FURTHER, That such rules shall not conflict with the authority of the department of licensing to license school bus drivers in accordance with chapter 46.25 RCW. The superintendent of public instruction may obtain a copy of the driving record, as maintained by the department of licensing, for consideration when evaluating a school bus driver's driving skills.

(2) The rules adopted by the superintendent of public instruction governing the training and qualifications of school bus drivers must also apply to drivers transporting students in a Washington state patrol-inspected school vehicle other than a

school bus. A driver that exclusively transports students in such a vehicle must have the appropriate driver's license for the vehicle, and may not be required to hold a commercial driver's license."

On page 1, beginning on line 3 of the title, after "28A.160.180," strike "and 28A.160.195" and insert "28A.160.195, and 28A.160.210"

Senators Braun and Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 634 by Senator Braun on page 4, after line 36 to Substitute Senate Bill No. 6031.

The motion by Senator Braun carried and amendment no. 634 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 6031 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6031.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6031 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

ENGROSSED SUBSTITUTE SENATE BILL NO. 6031, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6106, by Senators Conway, Keiser, Robinson, Hunt, Dhingra, Frame, Holy, Kuderer, Lovick, Nobles, Valdez, and C. Wilson; by request of Department of Social and Health Services

Including in the public safety employees' retirement system specified competency restoration workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings.

MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 6106 was substituted for Senate Bill No. 6106 and the substitute bill was placed on the second reading and read the second time.

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SUBSTITUTE SENATE BILL NO. 6106, by Committee on Ways & Means (originally sponsored by Senators Conway, Keiser, Robinson, Hunt, Dhingra, Frame, Holy, Kuderer, Lovick, Nobles, Valdez, and C. Wilson; by request of Department of Social and Health Services).

Revised for 1st Substitute: Including in the public safety employees' retirement system specified workers at department of social and health services institutional and residential sites that serve civilly committed residents or serve patients under not guilty by reason of insanity findings.

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 6106 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6106.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6106 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6192, by Senators King, Stanford, Mullet, and Nobles

Addressing additional work and change orders on public and private construction projects.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 6192 was substituted for Senate Bill No. 6192 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6192, by Senate Committee on Labor & Commerce (originally sponsored by King, Stanford, Mullet, and Nobles)

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6192 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6192.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6192 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6192, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6072, by Senators Keiser, Conway, Dhingra, Kuderer, Liias, Salomon, Stanford, Wellman, and Wilson, C.

Addressing recommendations of the long-term services and supports trust commission.

The measure was read the second time.

MOTION

Senator Keiser moved that the following striking amendment no. 643 by Senator Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 50B.04 RCW to read as follows:

(1) Beginning July 1, 2026, an employee or self-employed person, who has elected coverage under RCW 50B.04.090, who relocates outside of Washington may elect to continue participation in the program if:

(a) The employee or self-employed person has been assessed premiums by the employment security department for at least three years in which the employee or self-employed person has worked at least 1,000 hours in each of those years in Washington; and

(b) The employee or self-employed person notifies the employment security department within one year of establishing a primary residence outside of Washington that the employee or self-employed person is no longer a resident of Washington and elects to continue participation in the program.

(2) Out-of-state participants under subsection (1) of this section must report their wages or self-employment earnings to the employment security department according to standards for manner and timing of reporting and documentation submission, as adopted by rule by the employment security department. An out-of-state participant must submit documentation to the employment security department whether or not the out-of-state

participant earned wages or self-employment earnings, as applicable, during the applicable reporting period. When an out-of-state participant reaches the age of 67, the participant is no longer required to provide the documentation of their wages or self-employment earnings, but if the participant earns wages or self-employment earnings, the participant must submit reports of those wages or self-employment earnings and remit the required premiums.

(3) Out-of-state participants under subsection (1) of this section must provide documentation of wages and self-employment earnings earned at the time that they report their wages or self-employment earnings to the employment security department.

(4) The employment security department may cancel elective coverage if the out-of-state participant fails to make required payments or submit reports. The employment security department may collect due and unpaid premiums and may levy an additional premium for the remainder of the period of coverage. The cancellation must be effective no later than 30 days from the date of the notice in writing advising the out-of-state participant of the cancellation.

(5) The employment security department shall:

(a) Adopt standards by rule for the manner and timing of reporting and documentation submission for out-of-state participants. The employment security department must consider user experience with the wage and self-employment earnings reporting process and the document submission process and regularly update the standards to minimize the procedural burden on out-of-state participants and support the accurate reporting of wages and self-employment earnings at the time of the payment of premiums;

(b) Collect premiums from out-of-state participants as provided in RCW 50B.04.080, as relevant to out-of-state participants; and

(c) Verify the wages or self-employment earnings as reported by an out-of-state participant.

(6) For the purposes of this section, "wages" includes remuneration for services performed within or without or both within and without this state.

Sec. 2. RCW 50B.04.010 and 2021 c 113 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Account" means the long-term services and supports trust account created in RCW 50B.04.100.

(2) "Approved service" means long-term services and supports including, but not limited to:

- (a) Adult day services;
- (b) Care transition coordination;
- (c) Memory care;
- (d) Adaptive equipment and technology;
- (e) Environmental modification;
- (f) Personal emergency response system;
- (g) Home safety evaluation;
- (h) Respite for family caregivers;
- (i) Home delivered meals;
- (j) Transportation;
- (k) Dementia supports;
- (l) Education and consultation;
- (m) Eligible relative care;
- (n) Professional services;
- (o) Services that assist paid and unpaid family members caring for eligible individuals, including training for individuals providing care who are not otherwise employed as long-term care workers under RCW 74.39A.074;
- (p) In-home personal care;
- (q) Assisted living services;

(r) Adult family home services; and

(s) Nursing home services.

(3) "Benefit unit" means up to ~~((one hundred dollars))~~ \$100 paid by the department of social and health services to a long-term services and supports provider as reimbursement for approved services provided to an eligible beneficiary on a specific date. The benefit unit must be adjusted annually ~~((at a rate no greater than the Washington state consumer price index, as determined solely by the council. Any changes adopted by the council shall be subject to revision by the legislature))~~ for inflation by the consumer price index. The adjusted benefit unit must be calculated to the nearest cent/dollar using the consumer price index for the Seattle, Washington area for urban wage earners and clerical workers, all items, CPI-W, or a successor index, for the 12 months before each September 1st compiled by the United States department of labor's bureau of labor statistics. Each adjusted benefit unit calculated under this subsection takes effect on the following January 1st.

(4) "Commission" means the long-term services and supports trust commission established in RCW 50B.04.030.

(5) ~~((("Council" means the long-term services and supports trust council established in RCW 50B.04.040.~~

~~((6)))~~ "Eligible beneficiary" means a qualified individual who is age ~~((eighteen))~~ 18 or older, ~~((residing in the state of Washington,))~~ has been determined to meet the minimum level of assistance with activities of daily living necessary to receive benefits through the trust program, as ~~((established in this chapter))~~ provided in RCW 50B.04.060, and has not exhausted the lifetime limit of benefit units.

~~((7)))~~ (6) "Employee" has the meaning provided in RCW 50A.05.010.

~~((8)))~~ (7) "Employer" has the meaning provided in RCW 50A.05.010.

~~((9)))~~ (8) "Employment" has the meaning provided in RCW 50A.05.010.

~~((10)))~~ (9) "Exempt employee" means a person who has been granted a premium assessment exemption by the employment security department.

~~((11)))~~ (10) "Long-term services and supports provider" means:

(a) For entities providing services to an eligible beneficiary in Washington, an entity that meets the qualifications applicable in law to the approved service they provide, including a qualified or certified home care aide, licensed assisted living facility, licensed adult family home, licensed nursing home, licensed in-home services agency, adult day services program, vendor, instructor, qualified family member, or other entities as registered by the department of social and health services; and

(b) For entities providing services to an eligible beneficiary outside Washington, an entity that meets minimum standards for care provision and program administration, as established by the department of social and health services, and that is appropriately credentialed in the jurisdiction in which the services are being provided as established by the department of social and health services.

~~((12)))~~ (11) "Premium" or "premiums" means the payments required by RCW 50B.04.080 and paid to the employment security department for deposit in the account created in RCW 50B.04.100.

~~((13)))~~ (12) "Program" means the long-term services and supports trust program established in this chapter.

~~((14)))~~ (13) "Qualified family member" means a relative of an eligible beneficiary qualified to meet requirements established ~~((in state law))~~ by the department of social and health services for the approved service they provide ~~((that would be required of any~~

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~~other long-term services and supports provider to receive payments from the state).~~

~~((15))~~ (14) "Qualified individual" means an individual who meets the duration of payment requirements, as established in this chapter.

~~((16))~~ (15) "State actuary" means the office of the state actuary created in RCW 44.44.010.

~~((17))~~ (16) "Wage or wages" means all remuneration paid by an employer to an employee. Remuneration has the meaning provided in RCW 50A.05.010. All wages are subject to a premium assessment and not limited by the commissioner of the employment security department, as provided under RCW 50A.10.030(4).

Sec. 3. RCW 50B.04.020 and 2022 c 1 s 1 are each amended to read as follows:

(1) The health care authority, the department of social and health services, the office of the state actuary, and the employment security department each have distinct responsibilities in the implementation and administration of the program. In the performance of their activities, they shall actively collaborate to realize program efficiencies and provide persons served by the program with a well-coordinated experience.

(2) The health care authority shall:

(a) Track the use of lifetime benefit units to verify the individual's status as an eligible beneficiary as determined by the department of social and health services;

(b) Ensure approved services are provided through audits or service verification processes within the service provider payment system for registered long-term services and supports providers and recoup any inappropriate payments;

(c) Establish criteria for the payment of benefits to ~~((registered))~~ long-term services and supports providers under RCW 50B.04.070;

(d) Establish rules and procedures for benefit coordination when the eligible beneficiary is also funded for medicaid and other long-term services and supports, including medicare, coverage through the department of labor and industries, and private long-term care coverage; ~~((and))~~

(e) Assist the department of social and health services with the leveraging of existing payment systems for the provision of approved services to beneficiaries under RCW 50B.04.070; and

(f) Adopt rules and procedures necessary to implement and administer the activities specified in this section related to the program.

(3) The department of social and health services shall:

(a) Make determinations regarding an individual's status as an eligible beneficiary under RCW 50B.04.060;

(b) Approve long-term services and supports eligible for payment as approved services under the program, as informed by the commission;

(c) Register long-term services and supports providers that meet minimum qualifications;

(d) Discontinue the registration of long-term services and supports providers that: (i) Fail to meet the minimum qualifications applicable in law to the approved service that they provide; or (ii) violate the operational standards of the program;

(e) Disburse payments of benefits to ~~((registered))~~ long-term services and supports providers, utilizing and leveraging existing payment systems for the provision of approved services to eligible beneficiaries under RCW 50B.04.070;

(f) Prepare and distribute written or electronic materials to qualified individuals, eligible beneficiaries, and the public as deemed necessary by the commission to inform them of program design and updates;

(g) Provide customer service and address questions and complaints, including referring individuals to other appropriate agencies;

(h) Provide administrative and operational support to the commission;

(i) Track data useful in monitoring and informing the program, as identified by the commission; and

(j) Adopt rules and procedures necessary to implement and administer the activities specified in this section related to the program.

(4) The employment security department shall:

(a) Collect and assess ~~((employee))~~ premiums as provided in ~~((RCW 50B.04.080))~~ this chapter;

(b) Assist the commission~~((, council,))~~ and state actuary in monitoring the solvency and financial status of the program;

(c) Perform investigations to determine the compliance of premium payments in RCW 50B.04.080 and 50B.04.090 and section 1 of this act in coordination with the same activities conducted under the family and medical leave act, Title 50A RCW, to the extent possible;

(d) Make determinations regarding an individual's status as a qualified individual under RCW 50B.04.050, including criteria to determine the status of persons receiving partial benefit units under RCW 50B.04.050(2) and out-of-state participants under section 1 of this act; and

(e) Adopt rules and procedures necessary to implement and administer the activities specified in this section related to the program.

(5) The office of the state actuary shall:

(a) Beginning July 1, 2025, and biennially thereafter, perform an actuarial audit and valuation of the long-term services and supports trust fund. Additional or more frequent actuarial audits and valuations may be performed at the request of the ~~((council))~~ commission;

(b) Make recommendations to the ~~((council))~~ commission and the legislature on actions necessary to maintain trust solvency. The recommendations must include options to redesign or reduce benefit units, approved services, or both, to prevent or eliminate any unfunded actuarially accrued liability in the trust or to maintain solvency; and

(c) Select and contract for such actuarial, research, technical, and other consultants as the actuary deems necessary to perform its duties under chapter 363, Laws of 2019.

(6) By October 1, 2021, the employment security department and the department of social and health services shall jointly conduct outreach to provide employers with educational materials to ensure employees are aware of the program and that the premium assessments will begin on July 1, 2023. In conducting the outreach, the employment security department and the department of social and health services shall provide on a public website information that explains the program and premium assessment in an easy to understand format. Outreach information must be available in English and other primary languages as defined in RCW 74.04.025.

Sec. 4. RCW 50B.04.030 and 2022 c 1 s 2 are each amended to read as follows:

(1) The long-term services and supports trust commission is established. The commission's recommendations and decisions must be guided by the joint goals of maintaining benefit adequacy and maintaining fund solvency and sustainability.

(2) The commission includes:

(a) Two members from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

- (b) Two members from each of the two largest caucuses of the senate, appointed by the president of the senate;
 - (c) The commissioner of the employment security department, or the commissioner's designee;
 - (d) The secretary of the department of social and health services, or the secretary's designee;
 - (e) The director of the health care authority, or the director's designee, who shall serve as a nonvoting member;
 - (f) One representative of the organization representing the area agencies on aging;
 - (g) One representative of a home care association that represents caregivers who provide services to private pay and medicaid clients;
 - (h) One representative of a union representing long-term care workers;
 - (i) One representative of an organization representing retired persons;
 - (j) One representative of an association representing skilled nursing facilities and assisted living providers;
 - (k) One representative of an association representing adult family home providers;
 - (l) Two individuals receiving long-term services and supports, or their designees, or representatives of consumers receiving long-term services and supports under the program;
 - (m) One member who is a worker who is, or will likely be, paying the premium established in RCW 50B.04.080 and who is not employed by a long-term services and supports provider; and
 - (n) One representative of an organization of employers whose members collect, or will likely be collecting, the premium established in RCW 50B.04.080.
- (3)(a) Other than the legislators and agency heads identified in subsection (2) of this section, members of the commission are appointed by the governor for terms of two years, except that the governor shall appoint the initial members identified in subsection (2)(f) through (n) of this section to staggered terms not to exceed four years.
- (b) The secretary of the department of social and health services, or the secretary's designee, shall serve as chair of the commission. Meetings of the commission are at the call of the chair. A majority of the voting members of the commission shall constitute a quorum for any votes of the commission. Approval of ~~((sixty))~~ 60 percent of those voting members of the commission who are in attendance is required for the passage of any vote.
 - (c) Members of the commission and the subcommittee established in subsection (6) of this section must be compensated in accordance with RCW 43.03.250 and must be reimbursed for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060.
 - (4) Beginning January 1, 2021, the commission shall propose recommendations to the appropriate executive agency or the legislature regarding:
 - (a) The establishment of criteria for determining that an individual has met the requirements to be a qualified individual as established in RCW 50B.04.050 or an eligible beneficiary as established in RCW 50B.04.060;
 - (b) The establishment of criteria for minimum qualifications for the registration of long-term services and supports providers who provide approved services to eligible beneficiaries;
 - (c) The establishment of payment maximums for approved services consistent with actuarial soundness which shall not be lower than medicaid payments for comparable services. A service or supply may be limited by dollar amount, duration, or number of visits. The commission shall engage affected stakeholders to develop this recommendation;

- (d) Changes to rules or policies to improve the operation of the program;
- (e) ~~((Providing a recommendation to the council for the annual adjustment of the benefit unit in accordance with RCW 50B.04.010 and 50B.04.040;~~
- ~~((f))~~ (f) A refund of premiums for a deceased qualified individual with a dependent who is an individual with a developmental disability who is dependent for support from a qualified individual. The qualified individual must not have been determined to be an eligible beneficiary by the department of social and health services. The refund shall be deposited into an individual trust account within the developmental disabilities endowment trust fund for the benefit of the dependent with a developmental disability. The commission shall consider:
 - (i) The value of the refund to be ~~((one hundred))~~ 100 percent of the current value of the qualified individual's lifetime premium payments at the time that certification of death of the qualified individual is submitted, less any administrative process fees; and
 - (ii) The criteria for determining whether the individual is developmentally disabled. The determination shall not be based on whether or not the individual with a developmental disability is receiving services under Title 71A RCW, or another state or local program; and
 - ~~((g))~~ (f) Assisting the state actuary with the preparation of regular actuarial reports on the solvency and financial status of the program and advising the legislature on actions necessary to maintain trust solvency. The commission shall provide the office of the state actuary with all actuarial reports for review. The office of the state actuary shall provide any recommendations to the commission and the legislature on actions necessary to maintain trust solvency;~~(;~~
 - ~~((h))~~ ~~For the January 1, 2021, report only, recommendations on whether and how to extend coverage to individuals who became disabled before the age of eighteen, including the impact on the financial status and solvency of the trust. The commission shall engage affected stakeholders to develop this recommendation; and~~
 - ~~((i))~~ ~~For the January 1, 2021, report only, the commission shall consult with the office of the state actuary on the development of an actuarial report of the projected solvency and financial status of the program. The office of the state actuary shall provide any recommendations to the commission and the legislature on actions necessary to achieve trust solvency).~~
- (5) The commission shall monitor agency administrative expenses over time. Beginning November 15, 2020, the commission must annually report to the governor and the fiscal committees of the legislature on agency spending for administrative expenses and anticipated administrative expenses as the program shifts into different phases of implementation and operation. The November 15, 2027, report must include recommendations for a method of calculating future agency administrative expenses to limit administrative expenses while providing sufficient funds to adequately operate the program. The agency heads identified in subsection (2) of this section may advise the commission on the reports prepared under this subsection, but must recuse themselves from the commission's process for review, approval, and submission to the legislature.
- (6) The commission shall establish an investment strategy subcommittee consisting of the members identified in subsection (2)(a) through (d) of this section as voting members of the subcommittee. In addition, four members appointed by the governor who are considered experienced and qualified in the field of investment shall serve as nonvoting members. The subcommittee shall provide guidance and advice to the state investment board on investment strategies for the account,

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including seeking counsel and advice on the types of investments that are constitutionally permitted.

(7) The commission shall work with insurers to develop long-term care insurance products that supplement the program's benefit.

Sec. 5. RCW 50B.04.050 and 2022 c 2 s 3 and 2022 c 1 s 3 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (2) of this section, the employment security department shall deem a person to be a qualified individual as provided in this chapter if the person has paid the long-term services and supports premiums required by RCW 50B.04.080 for the equivalent of either:

(a) A total of ten years (~~(without interruption of five or more consecutive years)~~); or

(b) Three years within the last six years from the date of application for benefits.

(2) A person born before January 1, 1968, who has not met the duration requirements under subsection (1)(a) of this section may become a qualified individual with fewer than the number of years identified in subsection (1)(a) of this section if the person has paid the long-term services and supports premiums required by RCW 50B.04.080 for at least one year. A person becoming a qualified individual pursuant to this subsection (2) may receive one-tenth of the maximum number of benefit units available under RCW 50B.04.060(3)(b) for each year of premium payments. In accordance with RCW 50B.04.060, benefits for eligible beneficiaries in Washington will not be available until July 1, 2026, and benefits for out-of-state participants who become eligible beneficiaries will not be available until July 1, 2030, and nothing in this section requires the department of social and health services to accept applications for determining an individual's status as an eligible beneficiary prior to July 1, 2026. Nothing in this subsection (2) prohibits a person born before January 1, 1968, who meets the conditions of subsection (1)(b) of this section from receiving the maximum number of benefit units available under RCW 50B.04.060(3)(b).

(3) When deeming a person to be a qualified individual, the employment security department shall require that the person have worked at least (~~(five hundred)~~) 1,000 hours during each of the ten years in subsection (1)(a) of this section, each of the three years in subsection (1)(b) of this section, or each of the years identified in subsection (2) of this section.

(4) An exempt employee may never be deemed to be a qualified individual, unless the employee's exemption was discontinued under RCW 50B.04.055 or rescinded.

NEW SECTION. Sec. 6. A new section is added to chapter 50B.04 RCW to read as follows:

(1) An employee who holds a nonimmigrant visa for temporary workers, as recognized by federal law, is not subject to the rights and responsibilities of this title, unless the employee elects coverage.

(2) The employment security department may adopt rules necessary to implement this section.

Sec. 7. RCW 50B.04.060 and 2022 c 1 s 4 are each amended to read as follows:

(1) Beginning July 1, 2026, approved services must be available and benefits payable to a (~~(registered)~~) long-term services and supports provider on behalf of an eligible beneficiary under this section.

(2) (~~(Beginning)~~) (a)(i) Except for qualified individuals residing outside of Washington as provided in (a)(ii) of this subsection, beginning July 1, 2026, a qualified individual may become an eligible beneficiary by filing an application with the department of social and health services and undergoing an eligibility determination which includes an evaluation that the

individual requires assistance with at least three activities of daily living(~~(-)~~), as defined by the department of social and health services for long-term services and supports programs, which is expected to last for at least 90 days.

(ii) For a qualified individual residing outside of Washington, beginning January 1, 2030, the out-of-state qualified individual may become an eligible beneficiary by filing an application with the department of social and health services and undergoing an eligibility determination. The eligibility determination must include an evaluation that the individual either (A) is unable to perform, without substantial assistance from another individual, at least two of the following activities of daily living for a period of at least 90 days due to a loss of functional capacity: Eating, toileting, transferring, bathing, dressing, or continence, or (B) requires substantial supervision to protect such individual from threats to health and safety due to severe cognitive impairments.

(b) The department of social and health services must engage sufficient qualified assessor capacity, including via contract, so that the determination may be made within 45 days from receipt of a request by a beneficiary to use a benefit.

(3)(a) An eligible beneficiary may receive approved services and benefits through the program in the form of a benefit unit payable to a (~~(registered)~~) long-term services and supports provider.

(b) Except as limited in RCW 50B.04.050(2), an eligible beneficiary may not receive more than the dollar equivalent of 365 benefit units over the course of the eligible beneficiary's lifetime.

(i) If the department of social and health services reimburses a long-term services and supports provider for approved services provided to an eligible beneficiary and the payment is less than the benefit unit, only the portion of the benefit unit that is used shall be taken into consideration when calculating the person's remaining lifetime limit on receipt of benefits.

(ii) Eligible beneficiaries may combine benefit units to receive more approved services per day as long as the total number of lifetime benefit units has not been exceeded.

Sec. 8. RCW 50B.04.070 and 2019 c 363 s 8 are each amended to read as follows:

(1)(a) Benefits provided under this chapter shall be paid periodically and promptly to (~~(registered)~~) long-term services and supports providers(~~(-~~

~~(2))~~) who provide approved services to:

(i) Eligible beneficiaries in Washington if the long-term services and supports provider is registered with the department of social and health services; and

(ii) Eligible beneficiaries outside Washington if the long-term services and supports providers meet minimum standards established by the department.

(b) The department of social and health services may contract with a third party to administer payments to long-term services and supports providers providing services to eligible beneficiaries whether inside or outside of Washington.

(c) Qualified family members may be paid for approved personal care services in the same way as individual providers, through a licensed home care agency, or through a third option if recommended by the commission and adopted by the department of social and health services.

(2) The department of social and health services shall establish payment methods and procedures that are most appropriate and efficient for the different categories of service providers identified in subsection (1) of this section, including collaboration with other agencies and contracting with third parties, as necessary.

Sec. 9. RCW 50B.04.100 and 2019 c 363 s 11 are each amended to read as follows:

(1) The long-term services and supports trust account is created in the custody of the state treasurer. All receipts from employers under RCW 50B.04.080 and from out-of-state participants under section 1 of this act, delinquent premiums, penalties, and interest received pursuant to sections 10 and 11 of this act, and any funds attributable to savings derived through a waiver with the federal centers for medicare and medicaid services pursuant to RCW 50B.04.130 must be deposited in the account. Expenditures from the account may be used for the administrative activities of the department of social and health services, the health care authority, and the employment security department. Benefits associated with the program must be disbursed from the account by the department of social and health services. Only the secretary of the department of social and health services or the secretary's designee may authorize disbursements from the account. The account is subject to the allotment procedures under chapter 43.88 RCW. An appropriation is required for administrative expenses, but not for benefit payments. The account must provide reimbursement of any amounts from other sources that may have been used for the initial establishment of the program.

(2) The revenue generated pursuant to this chapter shall be utilized to expand long-term care in the state. These funds may not be used either in whole or in part to supplant existing state or county funds for programs that meet the definition of approved services.

(3) The moneys deposited in the account must remain in the account until expended in accordance with the requirements of this chapter. If moneys are appropriated for any purpose other than supporting the long-term services and supports program, the legislature shall notify each qualified individual by mail that the person's premiums have been appropriated for an alternate use, describe the alternate use, and state its plan for restoring the funds so that premiums are not increased and benefits are not reduced.

NEW SECTION. Sec. 10. A new section is added to chapter 50B.04 RCW to read as follows:

(1) In the form and at the times specified in this chapter and by the commissioner of the employment security department, an employer shall make reports, furnish information, and collect and remit premiums as required by this chapter to the employment security department. If the employer is a temporary help company that provides employees on a temporary basis to its customers, the temporary help company is considered the employer for purposes of this section.

(2)(a) An employer must keep at the employer's place of business a record of employment, for a period of six years, from which the information needed by the employment security department for purposes of this chapter may be obtained. This record shall at all times be open to the inspection of the commissioner of the employment security department.

(b) Information obtained under this chapter from employer records is confidential and not open to public inspection, other than to public employees in the performance of their official duties. An interested party, however, shall be supplied with information from employer records to the extent necessary for the proper presentation of the case in question. An employer may authorize inspection of the employer's records by written consent.

(3) The requirements relating to the collection of long-term services and supports trust program premiums are as provided in this chapter. Before issuing a warning letter or collecting penalties, the employment security department shall enforce the collection of premiums through conference and conciliation. These requirements apply to:

(a) An employer that fails under this chapter to make the required reports, or fails to remit the full amount of the premiums when due;

(b) An employer that willfully makes a false statement or misrepresentation regarding a material fact, or willfully fails to report a material fact, to avoid making the required reports or remitting the full amount of the premiums when due under this chapter;

(c) A successor in the manner specified in employment security department rules; and

(d) An officer, member, or owner having control or supervision of payment or reporting of long-term services and supports trust program premiums, or who is charged with the responsibility for the filing of returns, in the manner specified in subsection (4) of this section.

(4)(a) An employer who willfully fails to make the required reports is subject to penalties as follows: (i) For the second occurrence, the penalty is \$75; (ii) for the third occurrence, the penalty is \$150; and (iii) for the fourth occurrence and for each occurrence thereafter, the penalty is \$250.

(b) An employer who willfully fails to remit the full amount of the premiums when due is liable, in addition to the full amount of premiums due and amounts assessed as interest under subsection (5) of this section, to a penalty equal to the premiums and interest.

(c) Any penalties under this section shall be deposited into the account.

(d) For the purposes of this subsection, "willful" means a knowing and intentional action that is neither accidental nor the result of a bona fide dispute.

(e) The employment security department shall enforce the collection of penalties through conference and conciliation.

(5) Appeals of actions under this section are governed by RCW 50B.04.120.

NEW SECTION. Sec. 11. A new section is added to chapter 50B.04 RCW to read as follows:

(1) At any time after the commissioner of the employment security department finds that any premiums, interest, or penalties have become delinquent, the commissioner of the employment security department may issue an order and notice of assessment specifying the amount due. The order and notice of assessment shall be served upon the delinquent employer in the manner prescribed for the service of a summons in a civil action, or using a method by which the mailing can be tracked or the delivery can be confirmed. Failure of the employer to receive the notice or order, whether served or mailed, shall not release the employer from any tax, or any interest or penalties.

(2) If the commissioner of the employment security department has reason to believe that an employer is insolvent or if any reason exists why the collection of any premiums accrued will be jeopardized by delaying collection, the commissioner of the employment security department may make an immediate assessment of the premiums and may proceed to enforce collection immediately, but interest and penalties shall not begin to accrue upon any premiums until the date when such premiums would normally have become delinquent.

(3) If premiums are not paid on the date on which they are due and payable as prescribed by the commissioner of the employment security department, the whole or part thereof remaining unpaid shall bear interest at the rate of one percent per month or fraction thereof from and after such date until payment plus accrued interest is received by the commissioner of the employment security department. The date as of which payment of premiums, if mailed, is deemed to have been received may be determined by such regulations as the commissioner of the employment security department may prescribe. Interest collected pursuant to this section shall be paid into the account. Interest shall not accrue on premiums from any estate in the hands of a receiver, executor, administrator, trustee in bankruptcy,

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common law assignee, or other liquidating officer subsequent to the date when such receiver, executor, administrator, trustee in bankruptcy, common law assignee, or other liquidating officer qualifies as such, but premiums accruing with respect to employment of persons by any receiver, executor, administrator, trustee in bankruptcy, common law assignee, or other liquidating officer shall become due and shall draw interest in the same manner as premiums due from other employers. Where adequate information has been furnished to the employment security department and the employment security department has failed to act or has advised the employer of no liability or inability to decide the issue, interest may be waived.

(4)(a) If the amount of premiums, interest, or penalties assessed by the commissioner of the employment security department by order and notice of assessment provided in this chapter is not paid within 10 days after the service or mailing of the order and notice of assessment, the commissioner of the employment security department or a duly authorized representative may collect the amount stated in the assessment by the distraint, seizure, and sale of the property, goods, chattels, and effects of the delinquent employer. Goods and property that are exempt from execution under the laws of this state are exempt from distraint and sale under this section.

(b) The commissioner of the employment security department, upon making a distraint, shall seize the property and shall make an inventory of the distrained property, a copy of which shall be mailed to the owner of the property or personally delivered to the owner, and shall specify the time and place when the property shall be sold. A notice specifying the property to be sold and the time and place of sale shall be posted in at least two public places in the county in which the seizure has been made. The time of sale shall be not less than 10 nor more than 20 days from the date of posting of the notices. The sale may be adjourned from time to time at the discretion of the commissioner of the employment security department, but not for a time to exceed a total of 60 days. The sale shall be conducted by the commissioner of the employment security department or a representative who shall proceed to sell the property by parcel or by lot at a public auction, and who may set a minimum price to include the expenses of making a levy and of advertising the sale, and if the amount bid for such property at the sale is not equal to the minimum price so fixed, the commissioner of the employment security department or a representative may declare the property to be purchased by the employment security department for the minimum price. In such event the delinquent account shall be credited with the amount for which the property has been sold. Property acquired by the employment security department as prescribed in this subsection (4) may be sold by the commissioner of the employment security department or a representative at public or private sale, and the amount realized shall be placed in the account. In all cases of sale under this subsection (4), the commissioner of the employment security department shall issue a bill of sale or a deed to the purchaser and the bill of sale or deed shall be prima facie evidence of the right of the commissioner of the employment security department to make the sale and conclusive evidence of the regularity of the commissioner of the employment security department proceeding in making the sale, and shall transfer to the purchaser all right, title, and interest of the delinquent employer in the property. The proceeds of any sale under this subsection (4), except in those cases in which the property has been acquired by the employment security department, shall be first applied by the commissioner of the employment security department in satisfaction of the delinquent account, and out of any sum received in excess of the amount of delinquent premiums, interest, and penalties the account shall be

reimbursed for the costs of distraint and sale. Any excess amounts held by the commissioner of the employment security department shall be refunded to the delinquent employer. Amounts held by the commissioner of the employment security department that are refundable to a delinquent employer may be subject to seizure or distraint by any other taxing authority of the state or its political subdivisions.

(5) The commissioner of the employment security department may issue to any person, firm, corporation, political subdivision, or department of the state, a notice and order to withhold and deliver property of any kind when the commissioner of the employment security department has reason to believe that there is in the possession of such person, firm, corporation, political subdivision, or department, property which is due, owing, or belonging to any person, firm, or corporation upon whom the employment security department has served a notice and order of assessment for premiums, interest, or penalties. The effect of a notice to withhold and deliver shall be continuous from the date the notice and order to withhold and deliver is first made until the liability is satisfied or becomes unenforceable because of a lapse of time. The notice and order to withhold and deliver shall be served by the sheriff or the sheriff's deputy of the county in which the service is made, using a method by which the mailing can be tracked or the delivery can be confirmed, or by any duly authorized representative of the commissioner of the employment security department. Any person, firm, corporation, political subdivision, or department upon whom service has been made must answer the notice within 20 days exclusive of the day of service, under oath and in writing, and must truthfully answer the matters inquired of in the notice. In the event there is in the possession of any such person, firm, corporation, political subdivision, or department, any property which may be subject to the claim of the employment security department of the state, the property must be delivered immediately to the commissioner of the employment security department or a representative upon demand to be held in trust by the commissioner of the employment security department for application on the indebtedness involved or for return, without interest, in accordance with final determination of liability or nonliability, or in the alternative, a good and sufficient bond satisfactory to the commissioner of the employment security department must be provided conditioned upon final determination of liability. If any person, firm, or corporation fails to answer an order to withhold and deliver within the time prescribed in this subsection (5), it shall be lawful for the court, after the time to answer the order has expired, to render judgment by default against such person, firm, or corporation for the full amount claimed by the commissioner in the notice to withhold and deliver, together with costs.

(6) Whenever any order and notice of assessment or jeopardy assessment has become final in accordance with the provisions of this chapter the commissioner of the employment security department may file with the clerk of any county within the state a warrant in the amount of the notice of assessment plus interest, penalties, and a filing fee under RCW 36.18.012(10). The clerk of the county in which the warrant is filed shall immediately designate a superior court cause number for the warrant, and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant, the name of the employer mentioned in the warrant, the amount of the tax, interest, penalties, and filing fee and the date when such warrant was filed. The aggregate amount of the warrant as docketed shall become a lien upon the title to, and interest in all real and personal property of the employer against whom the warrant is issued, the same as a judgment in a civil case duly docketed in the office of such clerk. The warrant so docketed shall be sufficient to support

the issuance of writs of execution and writs of garnishment in favor of the state in the manner provided by law in the case of civil judgment, wholly or partially unsatisfied. The clerk of the court shall be entitled to a filing fee under RCW 36.18.012(10), which shall be added to the amount of the warrant, and charged by the commissioner of the employment security department to the employer. A copy of the warrant shall be mailed to the employer using a method by which the mailing can be tracked or the delivery can be confirmed within five days of filing with the clerk.

(7) The claim of the employment security department for any premiums, interest, or penalties not paid when due, shall be a lien prior to all other liens or claims and on a parity with prior tax liens against all property and rights to property, whether real or personal, belonging to the employer. In order to avail itself of the lien hereby created, the employment security department shall file with any county auditor where property of the employer is located a statement and claim of lien specifying the amount of delinquent premiums, interest, and penalties claimed by the employment security department. From the time of filing for record, the amount required to be paid shall constitute a lien upon all property and rights to property, whether real or personal, in the county, owned by the employer or acquired by the employer. The lien shall not be valid against any purchaser, holder of a security interest, mechanic's lien, or judgment lien creditor until notice thereof has been filed with the county auditor. This lien shall be separate and apart from, and in addition to, any other lien or claim created by, or provided for in, this chapter. When any such notice of lien has been so filed, the commissioner of the employment security department may release the lien by filing a certificate of release when it appears that the amount of delinquent premiums, interest, and penalties have been paid, or when the assurance of payment shall be made as the commissioner of the employment security department may deem to be adequate. Fees for filing and releasing the lien provided herein may be charged to the employer and may be collected from the employer utilizing the remedies provided in this chapter for the collection of premiums.

(8) In the event of any distribution of an employer's assets pursuant to an order of any court, including any receivership, probate, legal dissolution, or similar proceeding, or in case of any assignment for the benefit of creditors, composition, or similar proceeding, premiums, interest, or penalties due shall be a lien upon all the assets of such employer. The lien is prior to all other liens or claims except prior tax liens, other liens provided by this chapter, and claims for remuneration for services of not more than \$250 to each claimant earned within six months of the commencement of the proceeding. The mere existence of a condition of insolvency or the institution of any judicial proceeding for legal dissolution or of any proceeding for distribution of assets shall cause such a lien to attach without action on behalf of the commissioner of the employment security department or the state. In the event of an employer's adjudication in bankruptcy, judicially confirmed extension proposal, or composition, under the federal bankruptcy act of 1898, as amended, premiums, interest, or penalties due shall be entitled to such priority as provided in that act, as amended.

(9)(a) If after due notice, any employer defaults in any payment of premiums, interest, or penalties, the amount due may be collected by civil action in the name of the state, and the employer adjudged in default shall pay the cost of such action. Any lien created by this chapter may be foreclosed by decree of the court in any such action. Civil actions brought under this chapter to collect premiums, interest, or penalties from an employer shall be heard by the court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other civil

actions except petitions for judicial review under this chapter, cases arising under the unemployment compensation laws of this state, and cases arising under the industrial insurance laws of this state.

(b) Any employer that is not a resident of this state and that exercises the privilege of having one or more individuals perform service for it within this state, and any resident employer that exercises that privilege and thereafter removes from this state, shall be deemed thereby to appoint the secretary of state as its agent and attorney for the acceptance of process in any action under this chapter. In instituting such an action against any such employer the commissioner of the employment security department shall cause process or notice to be filed with the secretary of state and the service shall be sufficient service upon the employer, and shall be of the same force and validity as if served upon it personally within this state: PROVIDED, That the commissioner of the employment security department shall immediately send notice of the service of the process or notice, together with a copy thereof, by registered mail, return receipt requested, to such employer at its last known address and the return receipt, the commissioner's affidavit of compliance with the provisions of this section, and a copy of the notice of service shall be appended to the original of the process filed in the court in which such action is pending.

(10) Any employer who is delinquent in the payment of premiums, interest, or penalties may be enjoined upon the suit of the state of Washington from continuing in business in this state or employing persons herein until the delinquent premiums, interest, and penalties have been paid, or until the employer has furnished a good and sufficient bond in a sum equal to double the amount of premiums, interest, and penalties already delinquent, plus further sums as the court deems adequate to protect the employment security department in the collection of premiums, interest, and penalties which will become due from the employer during the next ensuing calendar year, the bond to be conditioned upon payment of all premiums, interest, and penalties due and owing within thirty days after the expiration of the next ensuing calendar year or at an earlier date as the court may fix. Action under this section may be instituted in the superior court of any county of the state in which the employer resides, has its principal place of business, or where it has anyone performing services for it, whether or not those services constitute employment.

(11) The commissioner of the employment security department may compromise any claim for premiums, interest, or penalties due and owing from an employer, and any amount owed by an individual because of benefit overpayments existing or arising under this chapter in any case in which collection of the full amount due and owing, whether reduced to judgment or otherwise, would be against equity and good conscience. Whenever a compromise is made by the commissioner of the employment security department in the case of a claim for premiums, interest, or penalties, whether reduced to judgment or otherwise, the employment security department shall file a statement of the amount of premiums, interest, and penalties imposed by law and claimed due, attorneys' fees and costs, if any, a complete record of the compromise agreement, and the amount actually paid in accordance with the terms of the compromise agreement. If any such compromise is accepted by the commissioner of the employment security department, within the time stated in the compromise or agreed to, that compromise shall be final and conclusive and except upon showing of fraud or malfeasance or misrepresentation of a material fact the case shall not be reopened as to the agreed upon matters. In any suit, action, or proceeding, such agreement or any determination, collection, payment, adjustment, refund, or credit made in accordance

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therewith shall not be annulled, modified, set aside, or disregarded.

(12) The commissioner of the employment security department may charge off as uncollectible and no longer an asset of the account, any delinquent premiums, interest, penalties, credits, or benefit overpayments if the commissioner of the employment security department is satisfied that there are no cost-effective means of collecting the premiums, interest, penalties, credits, or benefit overpayments.

NEW SECTION. Sec. 12. A new section is added to chapter 50B.04 RCW to read as follows:

(1) When a qualified individual applies for benefits as provided in RCW 50B.040.060, the department of social and health services must: (a) Ask whether the qualified individual has supplemental long-term care insurance as provided in chapter 48.-- RCW (the new chapter created in section 37 of this act); and (b) request written consent and the policy issuer's contact information from the qualified individual to share information with the policy issuer for any potential care coordination.

(2) If the individual provides written consent and the policy issuer's contact information, the department of social and health services must notify the policy issuer that the qualified individual has applied for benefits under this chapter and may share information for any potential care coordination.

(3) Only basic demographic information that would allow a person to be identified in the program may be shared if the qualified individual consents to sharing information. No health information or data on claims may be shared.

NEW SECTION. Sec. 13. (1) The department of social and health services, the employment security department, and the health care authority may design and conduct a pilot project to assess the administrative processes and system capabilities for managing eligibility determinations for qualified individuals and distributing payments to long-term services and supports providers. The pilot project may identify persons who are eligible to be qualified individuals and offer them access to benefit units under the program in return for their participation in the pilot project. The pilot project may only be conducted between January 1, 2026, and June 30, 2026. The pilot project may not have more than 500 participants.

(2) When designing and implementing the pilot project, the agencies identified in subsection (1) of this section must provide regular updates to and consider recommendations from the long-term services and supports trust commission. Upon completion of the pilot project, the agencies must provide a summary of the pilot project, including key operational challenges, to the commission. The commission may include any outstanding concerns identified by the pilot project that require a legislative response in the commission's 2027 report.

(3) The employment security department may adopt rules necessary to implement this section.

(4) This section expires July 1, 2027.

NEW SECTION. Sec. 14. The intent of this chapter is to promote the public interest, support the availability of supplemental long-term care coverage, establish standards for supplemental long-term care coverage, facilitate public understanding and comparison of supplemental long-term care contract benefits, protect persons insured under supplemental long-term care insurance policies and certificates, protect applicants for supplemental long-term care policies from unfair or deceptive sales or enrollment practices, and provide for flexibility and innovation in the development of supplemental long-term care insurance coverage.

NEW SECTION. Sec. 15. (1) This chapter applies to all supplemental long-term care insurance policies, contracts, or

riders delivered or issued for delivery in this state on or after January 1, 2026. This chapter does not supersede the obligations of entities subject to this chapter to comply with other applicable laws to the extent that they do not conflict with this chapter, except that laws and regulations designed and intended to apply to medicare supplement insurance policies shall not be applied to supplemental long-term care insurance.

(2) Coverage advertised, marketed, or offered as supplemental long-term care insurance must comply with this chapter. Any coverage, policy, or rider advertised, marketed, or offered as supplemental long-term care or nursing home insurance shall comply with this chapter.

(3) This chapter is not intended to prohibit approval of supplemental long-term care funded through life insurance policies, contracts, or riders, provided the policy meets the definition of supplemental long-term care insurance and provides all required benefits of this chapter.

NEW SECTION. Sec. 16. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Applicant" means: (a) In the case of an individual supplemental long-term care insurance policy, the person who seeks to contract for benefits; and (b) in the case of a group supplemental long-term care insurance policy, the proposed certificate holder.

(2) "Certificate" includes any certificate issued under a group supplemental long-term care insurance policy that has been delivered or issued for delivery in this state.

(3) "Commissioner" means the insurance commissioner of Washington state.

(4) "Issuer" includes insurance companies, fraternal benefit societies, health care service contractors, health maintenance organizations, or other entity delivering or issuing for delivery any supplemental long-term care insurance policy, contract, or rider.

(5) "Group supplemental long-term care insurance" means a supplemental long-term care insurance policy or contract that is delivered or issued for delivery in this state and is issued to:

(a) One or more employers; one or more labor organizations; or a trust or the trustees of a fund established by one or more employers or labor organizations for current or former employees, current or former members of the labor organizations, or a combination of current and former employees or members, or a combination of such employers, labor organizations, trusts, or trustees; or

(b) A professional, trade, or occupational association for its members or former or retired members, if the association:

(i) Is composed of persons who are or were all actively engaged in the same profession, trade, or occupation; and

(ii) Has been maintained in good faith for purposes other than obtaining insurance; or

(c)(i) An association, trust, or the trustees of a fund established, created, or maintained for the benefit of members of one or more associations. Before advertising, marketing, or offering supplemental long-term care coverage in this state, the association or associations, or the insurer of the association or associations, must file evidence with the commissioner that the association or associations have at the time of such filing at least 100 persons who are members and that the association or associations have been organized and maintained in good faith for purposes other than that of obtaining insurance; have been in active existence for at least one year; and have a constitution and bylaws that provide that:

(A) The association or associations hold regular meetings at least annually to further the purposes of the members; or

(B) Except for credit unions, the association or associations collect dues or solicit contributions from members; and

(C) The members have voting privileges and representation on the governing board and committees of the association.

(ii) Thirty days after filing the evidence in accordance with this section, the association or associations will be deemed to have satisfied the organizational requirements, unless the commissioner makes a finding that the association or associations do not satisfy those organizational requirements; or

(d) A group other than as described in (a), (b), or (c) of this subsection subject to a finding by the commissioner that:

(i) The issuance of the group policy is not contrary to the best interest of the public;

(ii) The issuance of the group policy would result in economies of acquisition or administration; and

(iii) The benefits are reasonable in relation to the premiums charged.

(6) "Policy" includes a document such as an insurance policy, contract, subscriber agreement, rider, or endorsement delivered or issued for delivery in this state by an insurer, fraternal benefit society, health care service contractor, health maintenance organization, or any similar entity authorized by the insurance commissioner to transact the business of supplemental long-term care insurance.

(7) "Qualified supplemental long-term care insurance contract" or "federally tax-qualified supplemental long-term care insurance contract" means:

(a) An individual or group insurance contract that meets the requirements of section 7702B(b) of the internal revenue code of 1986, as amended; or

(b) The portion of a life insurance contract that provides supplemental long-term care insurance coverage by rider or as part of the contract and that satisfies the requirements of sections 7702B(b) and (e) of the internal revenue code of 1986, as amended.

(8) "Supplemental long-term care insurance" means an insurance policy, contract, or rider that is advertised, marketed, offered, or designed to provide coverage for at least 12 consecutive months for a covered person after benefits provided under chapter 50B.04 RCW have been exhausted. Supplemental long-term care insurance may be on an expense incurred, indemnity, prepaid, or other basis, for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance, or personal care services, provided in a setting other than an acute care unit of a hospital. Supplemental long-term care insurance includes any policy, contract, or rider that provides for payment of benefits based upon cognitive impairment or the loss of functional capacity that supplements benefits provided in chapter 50B.04 RCW.

(a) Supplemental long-term care insurance includes group and individual annuities and life insurance policies or riders that provide directly or supplement long-term care insurance and that supplements benefits provided in chapter 50B.04 RCW. However, supplemental long-term care insurance does not include life insurance policies that: (i) Accelerate the death benefit specifically for one or more of the qualifying events of terminal illness, medical conditions requiring extraordinary medical intervention, or permanent institutional confinement; (ii) provide the option of a lump sum payment for those benefits; and (iii) do not condition the benefits or the eligibility for the benefits upon the receipt of long-term care.

(b) Supplemental long-term care insurance also includes qualified supplemental long-term care insurance contracts.

(c) Supplemental long-term care insurance does not include any insurance policy, contract, or rider that is offered primarily to

provide coverage for basic medicare supplement, basic hospital expense, basic medical-surgical expense, hospital confinement indemnity, major medical expense, disability income, related income, asset protection, accident only, specified disease, specified accident, or limited benefit health. These may not be marketed to consumers as providing coverage that is supplemental to the long-term care benefits provided in chapter 50B.04 RCW.

NEW SECTION. Sec. 17. A group supplemental long-term care insurance policy may not be offered to a resident of this state under a group policy issued in another state to a group described in section 16(5)(d) of this act, unless this state or another state having statutory and regulatory supplemental long-term care insurance requirements substantially similar to those adopted in this state has made a determination that such requirements have been met.

NEW SECTION. Sec. 18. (1) A supplemental long-term care insurance policy or certificate may not define "preexisting condition" more restrictively than as a condition for which medical advice or treatment was recommended by or received from a provider of health care services, within six months preceding the effective date of coverage of an insured person, unless the policy or certificate applies to group supplemental long-term care insurance under section 16(5) (a), (b), or (c) of this act.

(2) A supplemental long-term care insurance policy or certificate may not exclude coverage for a loss or confinement that is the result of a preexisting condition unless the loss or confinement begins within six months following the effective date of coverage of an insured person, unless the policy or certificate applies to a group as defined in section 16(5)(a) of this act.

(3) The commissioner may extend the limitation periods for specific age group categories in specific policy forms upon finding that the extension is in the best interest of the public.

(4) An issuer may use an application form designed to elicit the complete health history of an applicant and underwrite in accordance with that issuer's established underwriting standards, based on the answers on that application. Unless otherwise provided in the policy or certificate and regardless of whether it is disclosed on the application, a preexisting condition need not be covered until the waiting period expires.

(5) A supplemental long-term care insurance policy or certificate may not exclude or use waivers or riders to exclude, limit, or reduce coverage or benefits for specifically named or described preexisting diseases or physical conditions beyond the waiting period.

NEW SECTION. Sec. 19. (1) No supplemental long-term care insurance policy may:

(a) Be canceled, nonrenewed, or otherwise terminated on the grounds of the age or the deterioration of the mental or physical health of the insured individual or certificate holder;

(b) Contain a provision establishing a new waiting period in the event existing coverage is converted to or replaced by a new or other form within the same company, except with respect to an increase in benefits voluntarily selected by the insured individual or group policyholder;

(c) Provide coverage for skilled nursing care only or provide significantly more coverage for skilled care in a facility than coverage for lower levels of care;

(d) Condition eligibility for any benefits on a prior hospitalization requirement;

(e) Condition eligibility for benefits provided in an institutional care setting on the receipt of a higher level of institutional care;

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(f) Condition eligibility for any benefits other than waiver of premium, postconfinement, postacute care, or recuperative benefits on a prior institutionalization requirement;

(g) Include a postconfinement, postacute care, or recuperative benefit unless:

(i) Such requirement is clearly labeled in a separate paragraph of the policy or certificate entitled "Limitations or Conditions on Eligibility for Benefits"; and

(ii) Such limitations or conditions specify any required number of days of preconfinement or postconfinement;

(h) Condition eligibility for noninstitutional benefits on the prior receipt of institutional care;

(i)(i) Provide for a deductible that is greater than the maximum dollar equivalent provided in RCW 50B.04.060(3)(b), including inflation adjustments provided in RCW 50B.04.010(3), without the limitation provided in RCW 50B.04.050(2). The issuer may provide for a deductible that is less than the maximum dollar equivalent provided in RCW 50B.04.060(3)(b), especially for a policyholder born before 1968;

(ii) The issuer must accept notice from the department of social and health services that the policyholder has exhausted the benefits provided under chapter 50B.04 RCW as evidence of satisfying the deductible. However, for a policyholder born before 1968, the department must provide the amount of benefits paid under chapter 50B.04 RCW as evidence of payment toward the deductible;

(j) Include an elimination period of greater than 12 months. Any period of time the policyholder is considered an eligible beneficiary as defined in RCW 50B.04.010 must count toward any elimination period in a supplemental long-term care insurance policy. If the policy includes a deductible and an elimination period, the policy may provide that the elimination period is satisfied after the later of when the deductible or the elimination period has been met; and

(k) Require a policyholder to undergo a functional assessment to satisfy a benefit trigger to determine that the elimination period has begun or ended. However, the issuer may require the policyholder to undergo a functional assessment and apply a benefit trigger for purposes of approving a claim and authorizing benefits.

(2) A supplemental long-term care insurance policy or certificate may be field-issued if the compensation to the field issuer is not based on the number of policies or certificates issued. For purposes of this section, "field-issued" means a policy or certificate issued by a producer or a third-party administrator of the policy pursuant to the underwriting authority by an issuer and using the issuer's underwriting guidelines.

NEW SECTION. Sec. 20. (1) Supplemental long-term care insurance applicants may return a policy or certificate for any reason within 30 days after its delivery and to have the premium refunded.

(2) All supplemental long-term care insurance policies and certificates must have a notice prominently printed on or attached to the first page of the policy stating that the applicant may return the policy or certificate within 30 days after its delivery and to have the premium refunded.

(3) Refunds or denials of applications must be made within 30 days of the return or denial.

(4) This section does not apply to certificates issued pursuant to a policy issued to a group defined in section 16(5)(a) of this act.

NEW SECTION. Sec. 21. (1) An outline of coverage must be delivered to a prospective applicant for supplemental long-term care insurance at the time of initial solicitation through means that

prominently direct the attention of the recipient to the document and its purpose.

(a) The commissioner must prescribe a standard format, including style, arrangement, overall appearance, and the content of an outline of coverage. The outline of coverage must also include a disclosure:

(i) Of how the supplemental long-term care insurance interacts with benefits provided in chapter 50B.04 RCW and any potential gaps in coverage or discontinuities of care between benefits provided under chapter 50B.04 RCW and the policy;

(ii) That the premiums may increase over time and an explanation of the conditions that may result in an increase in premiums;

(iii) If the policyholder's circumstances change or premiums increase and the policyholder is unable or unwilling to pay the increased premiums, the options available to the consumer, including a reduction in benefits and nonforfeiture of premiums;

(iv) That premiums continue after retirement; and

(v) When premium payments are no longer required under the policy, known as a waiver of premiums.

(b) When an insurance producer makes a solicitation in person, the insurance producer must deliver an outline of coverage before presenting an application or enrollment form.

(c) In a direct response solicitation, the outline of coverage must be presented with an application or enrollment form. The disclosures required under (a) of this subsection are required in any marketing materials.

(d) If a policy is issued to a group as defined in section 16(5)(a) of this act, an outline of coverage is not required to be delivered, if the information that the commissioner requires to be included in the outline of coverage is in other materials relating to enrollment. Upon request, any such materials must be made available to the commissioner.

(2) If an issuer approves an application for a supplemental long-term care insurance contract or certificate, the issuer must deliver the contract or certificate of insurance to the applicant within 30 days after the date of approval. A policy summary must be delivered with an individual life insurance policy that provides supplemental long-term care benefits within the policy or by rider. In a direct response solicitation, the issuer must deliver the policy summary, upon request, before delivery of the policy, if the applicant requests a summary.

(a) The policy summary must include:

(i) An explanation of how the supplemental long-term care benefit interacts with other components of the policy, including deductions from any applicable death benefits;

(ii) An illustration of the amount of benefits, the length of benefits, and the guaranteed lifetime benefits if any, for each covered person;

(iii) Any exclusions, reductions, and limitations on benefits of supplemental long-term care;

(iv) A statement that any supplemental long-term care inflation protection option required by section 27 of this act is not available under this policy unless the policy or rider provides for such inflation protections; and

(v) If applicable to the policy type, the summary must also include:

(A) A disclosure of the effects of exercising other rights under the policy;

(B) A disclosure of guarantees related to long-term care costs of insurance charges; and

(C) Current and projected maximum lifetime benefits.

(b) The provisions of the policy summary may be incorporated into a basic illustration required under chapter 48.23A RCW, or

into the policy summary which is required under rules adopted by the commissioner.

NEW SECTION. Sec. 22. A supplemental long-term care insurance policy, contract, or rider must:

(1) Allow the policyholder options for reduction of benefits or nonforfeiture of premiums as provided in section 28 of this act if the premiums increase or the policyholder's circumstances change and the policyholder is unable or unwilling to pay the increased premiums;

(2) Allow for continuity of coverage of care settings and providers, including family providers, that the policyholder was receiving as benefits under the program provided in chapter 50B.04 RCW unless there is substantial clinical or other information showing that the current care setting or provider cannot meet the care and safety needs of the policyholder. If the issuer makes a determination that the care setting or providers are not suited to meeting the care and safety needs of the policyholder, the issuer may require a change of care setting or provider under the policy, effective 90 days after the transition from the benefits provided under chapter 50B.04 RCW. The policyholder may appeal the determination through an independent third-party review as tracked by the commissioner. The issuer may audit for fraudulent claims where the care being claimed is not being provided; and

(3) Cover family providers, provided they are suited to meet the care and safety needs of the policyholder.

NEW SECTION. Sec. 23. (1) When a policyholder purchases a supplemental long-term care insurance policy, the issuer must request written consent from the policyholder to share information with the department of social and health services. If the policyholder provides written consent, the issuer must inform the department of social and health services that the policyholder has purchased a supplemental long-term care insurance policy and share any information with the department for the purposes of any potential care coordination.

(2) Only basic demographic information that would allow a person to be identified in the program provided in chapter 50B.04 RCW may be shared if the individual consents to sharing information. No health care information as defined in RCW 70.02.010 or data on claims may be shared.

NEW SECTION. Sec. 24. If a supplemental long-term care benefit funded through a life insurance policy by the acceleration of the death benefit is in benefit payment status, a monthly report must be provided to the policyholder. The report must include:

(1) A record of all supplemental long-term care benefits paid out during the month;

(2) An explanation of any changes in the policy resulting from paying the supplemental long-term care benefits, such as a change in the death benefit or cash values; and

(3) The amount of supplemental long-term care benefits that remain to be paid.

NEW SECTION. Sec. 25. (1) Within 30 calendar days after receipt of a written claim for benefits under a policy made by a policyholder or certificate holder, or the policyholder's representative, an insurer must:

(a) Pay benefits pursuant to the terms of the policy or certificate;

(b) Request additional information; or

(c) Deny the claim.

(2) Within 30 calendar days after receipt of all the additional information requested as provided in subsection (1)(b) of this section, an insurer must pay a claim for benefits pursuant to the terms of the policy or certificate or deny the claim.

(3) All denials of supplemental long-term care claims by the issuer must provide a written explanation of the reasons for the

denial and make available to the policyholder or certificate holder all information directly related to the denial.

NEW SECTION. Sec. 26. (1) An issuer may rescind a supplemental long-term care insurance policy or certificate or deny an otherwise valid supplemental long-term care insurance claim if:

(a) A policy or certificate has been in force for less than six months and upon a showing of misrepresentation that is material to the acceptance for coverage; or

(b) A policy or certificate has been in force for at least six months but less than two years, upon a showing of misrepresentation that is both material to the acceptance for coverage and that pertains to the condition for which benefits are sought.

(2) After a policy or certificate has been in force for two years it is not contestable upon the grounds of misrepresentation alone. Such a policy or certificate may be contested only upon a showing that the insured knowingly and intentionally misrepresented relevant facts relating to the insured's health.

(3) An issuer's payments for benefits under a supplemental long-term care insurance policy or certificate may not be recovered by the issuer if the policy or certificate is rescinded.

(4) This section does not apply to the remaining death benefit of a life insurance policy that accelerates benefits for supplemental long-term care that are governed by RCW 48.23.050 the state's life insurance incontestability clause. In all other situations, this section applies to life insurance policies that accelerate benefits for supplemental long-term care.

NEW SECTION. Sec. 27. (1) The commissioner must establish minimum standards for inflation protection features.

(2) An issuer must comply with the rules adopted by the commissioner that establish minimum standards for inflation protection features.

(3) In addition to complying with the rules adopted under this section, no issuer may offer a supplemental long-term care insurance policy in this state unless the issuer also offers to the policyholder, in addition to any other inflation protection, the option to purchase a policy that provides for benefit levels to increase by at least three percent annually.

(4) The inflation protections provided in this section do not apply to an individual life insurance policy that provides supplemental long-term care benefits within the policy or by rider. However, an insurer may provide inflation protections in an individual life insurance policy that provides supplemental long-term care benefits within the policy or by rider.

NEW SECTION. Sec. 28. (1) Except as provided by this section, a supplemental long-term care insurance policy may not be delivered or issued for delivery in this state unless the policyholder or certificate holder has been offered the option of purchasing a policy or certificate that includes a nonforfeiture benefit. The offer of a nonforfeiture benefit may be in the form of a rider that is attached to the policy. If a policyholder or certificate holder declines the nonforfeiture benefit, the issuer must provide a contingent benefit upon lapse that is available for a specified period of time following a substantial increase in premium rates.

(2) If a group supplemental long-term care insurance policy is issued, the offer required in subsection (1) of this section must be made to the group policyholder. However, if the policy is issued as group supplemental long-term care insurance as defined in section 16(5)(d) of this act other than to a continuing care retirement community or other similar entity, the offering must be made to each proposed certificate holder.

(3) The commissioner must adopt rules specifying the type or types of nonforfeiture benefits to be offered as part of supplemental long-term care insurance policies and certificates,

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the standards for nonforfeiture benefits, and the rules regarding contingent benefit upon lapse, including a determination of the specified period of time during which a contingent benefit upon lapse will be available and the substantial premium rate increase that triggers a contingent benefit upon lapse.

NEW SECTION. Sec. 29. A person may not sell, solicit, or negotiate supplemental long-term care insurance unless the person is appropriately licensed as an insurance producer and has successfully completed supplemental long-term care coverage education that meets the requirements of this section.

(1) All supplemental long-term care education required by this chapter must meet the requirements of chapter 48.17 RCW and rules adopted by the commissioner.

(2)(a) Before soliciting, selling, or negotiating supplemental long-term care insurance coverage, an insurance producer must successfully complete a one-time education course consisting of no fewer than eight hours on long-term care coverage, the provisions of chapter 50B.04 RCW and any rules adopted to implement the program, long-term care services, other state and federal regulations and requirements for long-term care and qualified long-term care insurance coverage, changes or improvements in long-term care services or providers, alternatives to the purchase of long-term care insurance coverage, the effect of inflation on benefits and the importance of inflation protection, and consumer suitability standards and guidelines.

(b) In addition to the one-time education and training requirement set forth in (a) of this subsection, insurance producers who engage in the solicitation, sale, or negotiation of supplemental long-term care insurance coverage must successfully complete no fewer than four hours every 24 months of continuing education specific to supplemental long-term care insurance coverage and issues. Supplemental long-term care insurance coverage continuing education must consist of topics related to long-term care insurance, long-term care services, and, if applicable, qualified state long-term care insurance partnership programs, including, but not limited to, the following:

(i) State and federal regulations and requirements and the relationship between benefits offered under chapter 50B.04 RCW, qualified state long-term care insurance partnership programs, and other public and private coverage of long-term care services, including medicaid;

(ii) Available long-term care services and providers;

(iii) Changes or improvements in long-term care services or providers;

(iv) Alternatives to the purchase of private long-term care insurance;

(v) The effect of inflation on benefits and the importance of inflation protection;

(vi) This chapter and chapters 48.84 and 48.85 RCW; and

(vii) Consumer suitability standards and guidelines.

(3) The insurance producer education required by this section may not include training that is issuer or company product-specific or that includes any sales or marketing information, materials, or training, other than those required by state or federal law.

(4) Issuers must obtain verification that an insurance producer receives training required by this section before that producer is permitted to sell, solicit, or otherwise negotiate the issuer's supplemental long-term care insurance products.

(5) Issuers must maintain records subject to the state's record retention requirements and make evidence of that verification available to the commissioner upon request.

(6)(a) Issuers must maintain records with respect to the training of its producers concerning the distribution of its long-term care partnership policies that will allow the commissioner to provide

assurance to the state department of social and health services, medicaid division, that insurance producers engaged in the sale of supplemental long-term care insurance contracts have received the training required by this section and any rules adopted by the commissioner, and that producers have demonstrated an understanding of the partnership policies and their relationship to benefits offered under chapter 50B.04 RCW and public and private coverage of long-term care, including medicaid, in this state.

(b) These records must be maintained in accordance with the state's record retention requirements and be made available to the commissioner upon request.

NEW SECTION. Sec. 30. (1) Issuers and their agents, if any, must determine whether issuing supplemental long-term care insurance coverage to a particular person is appropriate, except in the case of a life insurance policy that accelerates benefits for supplemental long-term care.

(2) An issuer must:

(a) Develop and use suitability standards to determine whether the purchase or replacement of supplemental long-term care coverage is appropriate for the needs of the applicant or insured, using a best interest standard. The issuers and their agents must act in the best interests of the applicant or policyholder under the circumstances known at the time the recommendation is made, without putting the issuer or agent's financial interests ahead of the interests of the applicant or policyholder;

(b) Train its agents in the use of the issuer's suitability standards; and

(c) Maintain a copy of its suitability standards and make the standards available for inspection, upon request.

(3) The following must be considered when determining whether the applicant meets the issuer's suitability standards:

(a) The ability of the applicant to pay for the proposed coverage and any other relevant financial information related to the purchase of or payment for coverage;

(b) The applicant's goals and needs with respect to supplemental long-term care and the advantages and disadvantages of supplemental long-term care coverage to meet those goals or needs; and

(c) The values, benefits, and costs of the applicant's existing health or long-term care coverage, if any, when compared to the values, benefits, and costs of the recommended purchase or replacement.

(4) The sale or transfer of any suitability information provided to the issuer or agent by the applicant to any other person or business entity is prohibited.

(5)(a) The commissioner must adopt rules on forms of consumer-friendly personal worksheets that issuers and their agents must use for applications for supplemental long-term care coverage.

(b) The commissioner may require each issuer to file its current forms of suitability standards and personal worksheets with the commissioner.

NEW SECTION. Sec. 31. A person engaged in the issuance or solicitation of supplemental long-term care coverage may not engage in unfair methods of competition or unfair or deceptive acts or practices, as such methods, acts, or practices are defined in chapter 48.30 RCW, or as defined by the commissioner.

NEW SECTION. Sec. 32. An issuer or an insurance producer who violates a law or rule relating to the regulation of supplemental long-term care insurance or its marketing is subject to a fine of up to three times the amount of the commission paid for each policy involved in the violation or up to \$10,000, whichever is greater.

NEW SECTION. Sec. 33. (1) The commissioner must adopt rules that include standards for full and fair disclosure setting forth the manner, content, and required disclosures for the sale of supplemental long-term care insurance policies, terms of renewability, initial and subsequent conditions of eligibility, nonduplication of coverage provisions, coverage of dependents, preexisting conditions, termination of insurance, continuation or conversion, probationary periods, limitations, exceptions, reductions, elimination periods, requirements for replacement, recurrent conditions, and definitions of terms. The commissioner must adopt rules establishing loss ratio standards for supplemental long-term care insurance policies. The commissioner must adopt rules to promote premium adequacy and to protect policyholders in the event of proposed substantial rate increases, and to establish minimum standards for producer education, marketing practices, producer compensation, producer testing, penalties, and reporting practices for supplemental long-term care insurance.

(2) The commissioner must adopt rules establishing standards protecting patient privacy rights, rights to receive confidential health care services, and standards for an issuer's timely review of a claim denial upon request of a covered person.

(3) The commissioner must adopt by rule prompt payment requirements for supplemental long-term care insurance. The rules must include a definition of a "claim" and a definition of "clean claim." In adopting the rules, the commissioner must consider the prompt payment requirements in long-term care insurance model acts developed by the national association of insurance commissioners.

(4) The commissioner may adopt reasonable rules to carry out this chapter.

NEW SECTION. Sec. 34. (1) The commissioner must:

(a) Develop a consumer education guide designed to educate consumers and help them make informed decisions as to the purchase of supplemental long-term care insurance policies provided under this chapter; and

(b) Expand programs to educate consumers as to the supplemental long-term care insurance policies provided under this chapter, with a focus on the middle-income market. If allowable under federal law, the commissioner must expand the statewide health insurance benefits advisor program to provide the consumer education.

(2) The guide and programs should:

(a) Provide additional information and counseling for consumers born before 1968. This information and counseling should educate these consumers as to potential out-of-pocket costs they may be subject to before supplemental long-term care insurance will begin paying claims and strategies for managing the gap between benefits payable under chapter 50B.04 RCW and coverage under supplemental long-term care insurance.

(b) Support consumers in assessing the tradeoffs between various elimination period options and premium rates.

(c) Educate consumers on budgeting any benefits available under chapter 50B.04 RCW carefully to reduce the likelihood and size of any potential gap between those benefits and the supplemental long-term care insurance.

NEW SECTION. Sec. 35. A new section is added to chapter 48.83 RCW to read as follows:

This chapter does not apply to supplemental long-term care insurance as defined in section 16 of this act.

NEW SECTION. Sec. 36. RCW 50B.04.040 (Long-term services and supports council—Benefit unit adjustment) and 2019 c 363 s 5 are each repealed.

NEW SECTION. Sec. 37. Sections 14 through 34 of this act constitute a new chapter in Title 48 RCW.

NEW SECTION. Sec. 38. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 39. This act takes effect January 1, 2025."

On page 1, line 2 of the title, after "commission;" strike the remainder of the title and insert "amending RCW 50B.04.010, 50B.04.020, 50B.04.030, 50B.04.060, 50B.04.070, and 50B.04.100; reenacting and amending RCW 50B.04.050; adding new sections to chapter 50B.04 RCW; adding a new section to chapter 48.83 RCW; adding a new chapter to Title 48 RCW; creating a new section; repealing RCW 50B.04.040; providing an effective date; and providing an expiration date."

MOTION

Senator King moved that the following amendment no. 675 by Senator King be adopted:

On page 1, line 11, after "least" strike "1,000" and insert "250"

On page 12, line 6, after "(3)" strike "When" and insert "~~(When)~~ (a) Except as provided in (b) of this subsection, when"

On page 12, after line 11, insert the following:

"(b) If a person has worked less than 1,000 hours but at least 250 hours during any of the years or time periods described in (a) of this subsection, the employment security department shall deem the person a qualified individual and determine a fraction for any year in which the person worked less than 1,000 hours but at least 250 hours. The fraction for any year shall be the highest number of hours worked during that year divided by 1,000. The employment security department shall prorate the maximum benefit units available to the person under RCW 50B.04.060(3)(b) based on the fraction for each year in which the person worked less than 1,000 hours but at least 250 hours.

(c) The employment security department may adopt rules to implement this subsection."

Senator King spoke in favor of adoption of the amendment to the striking amendment.

Senator Conway spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 675 by Senator King on page 1, line 11 to striking amendment no. 643.

The motion by Senator King did not carry and amendment no. 675 was not adopted by voice vote.

MOTION

Senator Braun moved that the following amendment no. 672 by Senator Braun be adopted:

On page 12, after line 22, insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 50B.04 RCW to read as follows:

Any person may opt out of coverage under this chapter by providing written notice to the employment security department, which shall be effective immediately."

Re-number the remaining sections consecutively and correct any internal references accordingly.

Senators Braun and Short spoke in favor of adoption of the amendment to the striking amendment.

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Senator Keiser spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Braun on page 12, after line 22 to striking amendment no. 643.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Braun moved that the following amendment no. 673 by Senator Braun be adopted:

On page 12, after line 22, insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 50B.04 RCW to read as follows:

Any person who moves into the state of Washington may opt out of coverage under this chapter within 180 days of moving into the state by providing written notice to the employment security department, which shall be effective immediately."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Braun spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 673 by Senator Braun on page 12, after line 22 to striking amendment no. 643.

The motion by Senator Braun did not carry and amendment no. 673 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, amendment no. 674 by Senator Braun on page 12, line 22 to striking amendment no. 643 was withdrawn.

Senator Keiser spoke in favor of adoption of the striking amendment.

Senator King spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 643 by Senator Keiser to Senate Bill No. 6072.

The motion by Senator Keiser carried and striking amendment no. 643 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Senate Bill No. 6072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Braun spoke in favor of passage of the bill. Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6072.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6072 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Warnick, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Dozier, Fortunato, Gildon, Hawkins, Holy, MacEwen, McCune, Padden, Schoesler, Short, Torres, Wagoner, Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 6072, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5937, by Senators Dhingra, Braun, Hasegawa, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau, Valdez, Wellman, and C. Wilson

Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5937 was substituted for Senate Bill No. 5937 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5937, by Committee on Ways & Means (originally sponsored by Senators Dhingra, Braun, Hasegawa, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau, Valdez, Wellman, and C. Wilson).

Revised for second substitute: Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses.

Senator Padden moved that the following amendment no. 650 by Senator Padden be adopted:

Beginning on page 5, line 1, strike all of section 2
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 3 of the title, after "7.68.020," strike "7.68.060,"

Senator Padden spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 650 by Senator Padden on page 5, line 1 to Second Substitute Senate Bill No. 5937.

The motion by Senator Padden did not carry and amendment no. 650 was not adopted by voice vote.

MOTION

Senator Dhingra moved that the following amendment no. 644 by Senator Dhingra be adopted:

On page 21, line 4, after "(b)" strike "When" and insert "After"

On page 21, beginning on line 5, after "with" strike all material through "it," on line 7 and insert "a legend drug, controlled substance, or controlled substance analog without the victim's knowledge and consent"

On page 21, line 7, after "consent" insert "to sexual intercourse"

On page 21, beginning on line 10, after "(3)" strike all material through "RCW 70.345.010." on line 11 and insert "For purposes of this section:"

(a) "Legend drug" has the same meaning as "legend drugs" as defined in RCW 69.41.010.

(b) "Controlled substance" has the same meaning as defined in RCW 69.50.101.

(c) "Controlled substance analog" has the same meaning as defined in RCW 69.50.101."

Senators Dhingra and Padden spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 644 by Senator Dhingra on page 21, line 4 to Second Substitute Senate Bill No. 5937.

The motion by Senator Dhingra carried and amendment no. 644 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5937 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5937.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5937 and the bill passed the

Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5937, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5803, by Senators Conway, Boehnke, Dozier, Frame, Holy, Hunt, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Nobles, Padden, Stanford, Wagoner, Warnick, and Wellman

Concerning the recruitment and retention of Washington national guard members.

MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 5803 was substituted for Senate Bill No. 5803 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5803, by Senate Committee on Ways & Means (originally sponsored by Conway, Boehnke, Dozier, Frame, Holy, Hunt, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Nobles, Padden, Stanford, Wagoner, Warnick, and Wellman)

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5803 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Wilson, J. spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Nobles was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5803.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5803 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

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Excused: Senator Nobles

SUBSTITUTE SENATE BILL NO. 5803, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6058, by Senators Nguyen, Hunt, Kuderer, Liias, Mullet, Pedersen, Saldaña, Shewmake, and Stanford

Facilitating linkage of Washington's carbon market with the California-Quebec carbon market.

MOTIONS

On motion of Senator Nguyen, Second Substitute Senate Bill No. 6058 was substituted for Senate Bill No. 6058 and the substitute bill was placed on the second reading and read the second time.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058, by Senate Committee on Ways & Means (originally sponsored by Nguyen, Hunt, Kuderer, Liias, Mullet, Pedersen, Saldaña, Shewmake, and Stanford)

Senator Short moved that the following amendment no. 646 by Senator Short be adopted:

On page 12, line 36, after "2026." insert "In any rule making to amend Washington's compliance periods that results in the compliance periods being reduced from four-year periods, the department must account for the impact that such a change would have on an electric utility whose emissions are affected by variable hydropower generation when establishing its methods and procedures for allocating allowances under RCW 70A.65.120."

Senator Short spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 646 by Senator Short on page 12, line 36 to Second Substitute Senate Bill No. 6058.

The motion by Senator Short did not carry and amendment no. 646 was not adopted by voice vote.

MOTION

Senator Van De Wege moved that the following amendment no. 659 by Senator Van De Wege be adopted:

On page 32, line 18, after "(b)" insert "Take into consideration current Washington forest practices rules and the state's unique forest species and structures;

(c)"

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Senators Van De Wege and MacEwen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 659 by Senator Van De Wege on page 32, line 18 to Second Substitute Senate Bill No. 6058.

The motion by Senator Van De Wege carried and amendment no. 659 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6058 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senator MacEwen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6058.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6058 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6238, by Senators Dozier, Conway, Fortunato, Hasegawa, Lovelett, Lovick, Torres, Wagoner, Warnick, Wilson, C., and Wilson, J.

Updating thresholds for the property tax exemption for widows and widowers of honorably discharged veterans.

The measure was read the second time.

MOTION

On motion of Senator Dozier, the rules were suspended, Senate Bill No. 6238 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dozier and Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6238.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6238 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 6238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6069, by Senators Mullet, Valdez, Hunt, Liias, Nguyen, Saldaña, and Van De Wege

Improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 6069 was substituted for Senate Bill No. 6069 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6069, by Senate Committee on Ways & Means (originally sponsored by Mullet, Valdez, Hunt, Liias, Nguyen, Saldaña, and Van De Wege)

Revised for substitute: Improving retirement security for Washingtonians by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute.

Senator Mullet moved that the following amendment no. 641 by Senator Mullet be adopted:

On page 2, line 1, after "DEFINITIONS." insert "The definitions in this section apply throughout this chapter unless the context clearly requires otherwise."

On page 2, line 21, after "employed," strike "five or more full-time equivalent employees" and insert "employees working a combined minimum of 10,400 hours"

On page 2, beginning on line 32, strike all of subsection (10)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 12, beginning on line 4, strike all of subsections (2)(a) and (b) and insert the following:

"(a) If the complaint is filed before January 1, 2030, offer technical assistance to the employer to bring them into compliance. Civil penalties may not be assessed before January 1, 2030;

(b) If the complaint is filed on or after January 1, 2030, educate the employer on how to come into compliance and, if necessary and as provided in this section, enforce penalties for willful violations."

On page 12, line 25, after "\$100" insert "and \$250 for a second willful violation"

On page 1, beginning on line 1 of the title, after "improving" strike "retirement security for Washingtonians" and insert "private Washington workforce retirement security standards"

Senator Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 641 by Senator Mullet on page 2, line 1 to Substitute Senate Bill No. 6069.

The motion by Senator Mullet carried and amendment no. 641 was adopted by voice vote.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute Senate Bill No. 6069 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Revised for engrossed: Improving private Washington workforce retirement security standards by establishing Washington saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6069.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6069 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Hasegawa, MacEwen, Schoesler, Short, Torres and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6069, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6099, by Senators Braun, Kauffman, and Mullet

Creating the tribal opioid prevention and treatment account.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 6099 was substituted for Senate Bill No. 6099 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6099, by Senate Committee on Ways & Means (originally sponsored by Braun, Kauffman, and Mullet)

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 6099 was advanced to third reading,

THIRTY SIXTH DAY, FEBRUARY 12, 2024

the second reading considered the third and the bill was placed on final passage.

Senators Braun and Kauffman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6099.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6099 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6099, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:51 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Tuesday, February 13, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, February 13, 2024

MELISSA PALMER, Deputy Chief Clerk

February 12, 2024

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Brenden Gough and Mr. Daniel Mun, presented the Colors.

Page Miss Leah Astle led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Chris Rule of Orting Community Baptist Church.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 12, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1304,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1893,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2065,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2301,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 12, 2024

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1104,
SECOND SUBSTITUTE HOUSE BILL NO. 1205,
ENGROSSED FOURTH SUBSTITUTE
HOUSE BILL NO. 1239,
HOUSE BILL NO. 2044,
SECOND SUBSTITUTE HOUSE BILL NO. 2084,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2128,
SUBSTITUTE HOUSE BILL NO. 2147,
SECOND SUBSTITUTE HOUSE BILL NO. 2151,
HOUSE BILL NO. 2204,
SUBSTITUTE HOUSE BILL NO. 2254,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256,
SUBSTITUTE HOUSE BILL NO. 2293,
SUBSTITUTE HOUSE BILL NO. 2295,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2354,
SUBSTITUTE HOUSE BILL NO. 2408,
SUBSTITUTE HOUSE BILL NO. 2424,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2474,

and the same are herewith transmitted.

MR. PRESIDENT:

The House has passed:
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2003,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2247,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2330,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 12, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1052,
SECOND SUBSTITUTE HOUSE BILL NO. 1941,
SUBSTITUTE HOUSE BILL NO. 2069,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118,
SECOND SUBSTITUTE HOUSE BILL NO. 2166,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2245,
SUBSTITUTE HOUSE BILL NO. 2271,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384,
SUBSTITUTE HOUSE BILL NO. 2467,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 12, 2024

MR. PRESIDENT:

The House has passed:

THIRD SUBSTITUTE HOUSE BILL NO. 1228,
HOUSE BILL NO. 1876,
SUBSTITUTE HOUSE BILL NO. 1916,
SUBSTITUTE HOUSE BILL NO. 1942,
SUBSTITUTE HOUSE BILL NO. 1970,
HOUSE BILL NO. 1987,
SUBSTITUTE HOUSE BILL NO. 2012,
SECOND SUBSTITUTE HOUSE BILL NO. 2071,
SECOND SUBSTITUTE HOUSE BILL NO. 2239,
HOUSE BILL NO. 2246,
SUBSTITUTE HOUSE BILL NO. 2357,
HOUSE BILL NO. 2416,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 10, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331,
and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

THIRTY SEVENTH DAY, FEBRUARY 13, 2024

E2SHB 1185 by House Committee on Environment & Energy (originally sponsored by Representatives Hackney, Duerr, Berry, Ramel, Fitzgibbon, Doglio and Pollet)

AN ACT Relating to reducing environmental impacts associated with lighting products; amending RCW 70A.230.020, 70A.505.010, 70A.505.020, 70A.505.030, 70A.505.040, 70A.505.050, 70A.505.060, 70A.505.070, 70A.505.100, 70A.505.110, 70A.505.120, 70A.505.130, 70A.505.160, 82.04.660, and 70A.230.080; reenacting and amending RCW 43.21B.110; adding a new section to chapter 70A.505 RCW; adding a new section to chapter 70A.230 RCW; repealing RCW 70A.505.090, 43.131.421, 43.131.422, 70A.230.150, 70A.505.010, 70A.505.020, 70A.505.030, 70A.505.040, 70A.505.050, 70A.505.060, 70A.505.070, 70A.505.080, 70A.505.090, 70A.505.100, 70A.505.110, 70A.505.120, 70A.505.130, 70A.505.140, 70A.505.150, 70A.505.160, 70A.505.900, and 70A.505.901; prescribing penalties; and providing effective dates.

Referred to Committee on Environment, Energy & Technology.

SHB 1249 by House Committee on Regulated Substances & Gaming (originally sponsored by Representatives Corry and Reeves)

AN ACT Relating to limits on the sale and possession of retail cannabis products; and amending RCW 69.50.360 and 69.50.4013.

Referred to Committee on Labor & Commerce.

ESHB 1300 by House Committee on Appropriations (originally sponsored by Representatives Orwall, Mosbrucker, Graham, Jacobsen, Lekanoff, Macri and Reed)

AN ACT Relating to fraud in assisted reproduction; amending RCW 9A.36.031 and 18.130.180; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Law & Justice.

E2SHB 1368 by House Committee on Appropriations (originally sponsored by Representatives Senn, Fey, Berry, Doglio, Peterson, Chapman, Fosse, Slatter, Gregerson, Callan, Lekanoff, Ramel, Stonier, Street, Santos, Fitzgibbon, Berg, Reed, Simmons, Bergquist, Goodman, Pollet, Cortes, Macri and Leavitt)

AN ACT Relating to requiring and funding the purchase of zero emission school buses; amending RCW 28A.160.140 and 28A.160.195; adding a new section to chapter 70A.15 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

E3SHB 1433 by House Committee on Environment & Energy (originally sponsored by Representatives Duerr, Ramel, Fitzgibbon, Berry, Reed and Doglio)

AN ACT Relating to energy labeling of residential buildings; adding a new section to chapter 19.27A RCW;

adding a new section to chapter 43.21F RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SHB 1453 by House Committee on Finance (originally sponsored by Representatives Wylie, Chapman and Kloba)

AN ACT Relating to providing a tax exemption for medical cannabis patients; amending RCW 69.50.535; and creating a new section.

Referred to Committee on Labor & Commerce.

ESHB 1493 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representative Goodman)

AN ACT Relating to impaired driving; amending RCW 9.94A.030, 10.05.060, 46.20.355, 46.20.385, 46.20.720, 46.20.740, 46.52.130, and 46.61.5055; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1507 by Representatives Entenman, Ramel, Alvarado, Orwall, Reeves, Doglio, Pollet, Macri, Morgan and Bergquist

AN ACT Relating to fair housing training for officers or board members in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

Referred to Committee on Law & Justice.

ESHB 1835 by House Committee on Innovation, Community & Economic Development, & Veterans (originally sponsored by Representatives Kretz, Chapman, Maycumber, Tharinger, Harris and Dent)

AN ACT Relating to defining frontier counties; and amending RCW 43.160.020, 43.330.010, and 82.02.010.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

2SHB 1877 by House Committee on Appropriations (originally sponsored by Representatives Lekanoff, Stearns, Ortiz-Self, Ramel, Ramos, Cortes, Reed, Ormsby, Macri, Street, Paul, Gregerson, Doglio, Callan, Orwall, Mena, Wylie, Reeves, Pollet, Davis and Shavers)

AN ACT Relating to improving the Washington state behavioral health system for better coordination and recognition with the Indian behavioral health system; amending RCW 71.34.020, 71.34.020, 71.05.148, 71.34.815, 71.05.150, 71.05.150, 71.34.710, 71.34.710, 71.05.195, 71.05.201, 71.05.212, 71.05.212, 71.05.214, 71.05.217, 71.05.435, 71.05.458, 71.05.590, 71.05.590, 71.05.620, 71.34.780, 71.34.780, 71.05.730, 71.24.030, 71.24.045, 70.02.230, 70.02.240, and 70.02.260; reenacting and amending RCW 71.05.020, 71.05.020, and 70.02.010; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.34 RCW; creating a new section; providing an effective date; providing contingent effective

dates; providing an expiration date; and providing contingent expiration dates.

Referred to Committee on Law & Justice.

HB 1879 by Representatives Lekanoff, Santos, Ryu, Tharinger, Ortiz-Self, Ramel, Cortes, Morgan, Reed, Ormsby, Timmons, Callan, Peterson, Chopp, Donaghy, Gregerson, Doglio, Fosse, Orwall, Bergquist, Stonier, Mena, Wylie, Reeves, Riccelli, Pollet, Shavers and Davis

AN ACT Relating to naming the curriculum used to inform students about tribal history, culture, and government after John McCoy (Iulilaš); amending RCW 28A.320.170, 28A.300.444, and 28A.715.005; and adding new sections to chapter 28A.320 RCW.

Referred to Committee on Early Learning & K-12 Education.

SHB 1889 by House Committee on Consumer Protection & Business (originally sponsored by Representatives Walen, Taylor, Leavitt, Slatter, Ramel, Duerr, Ryu, Ramos, Bateman, Reeves, Reed, Ormsby, Callan, Peterson, Kloba, Macri, Street, Doglio, Bergquist, Mena, Goodman, Thai, Santos, Hackney, Pollet, Fosse, Davis and Senn)

AN ACT Relating to allowing persons to receive professional licenses and certifications regardless of immigration or citizenship status; amending RCW 18.235.020, 18.53.060, 18.185.020, 19.230.040, 19.230.090, and 42.45.200; reenacting and amending RCW 18.130.040; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28A.413 RCW; adding a new chapter to Title 18 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

HB 1901 by Representatives Springer, Schmidt, Berry, Ormsby and Reeves; by request of Employment Security Department

AN ACT Relating to removing the sunset on changes to the unemployment insurance voluntary contribution program; and amending RCW 50.29.026.

Referred to Committee on Labor & Commerce.

SHB 1903 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Berry, Taylor, Stonier, Fitzgibbon, Reed, Street, Callan, Walen, Peterson, Fosse, Reeves, Simmons, Kloba, Mena, Senn, Hackney, Goodman, Thai, Ryu, Cortes, Tharinger, Alvarado, Ramel, Duerr, Ramos, Bateman, Ormsby, Fey, Rule, Macri, Gregerson, Doglio, Orwall, Bergquist, Berg, Farivar, Ortiz-Self, Lekanoff, Nance, Riccelli, Pollet and Davis)

AN ACT Relating to reporting lost or stolen firearms; amending RCW 7.80.120; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

2SHB 1929 by House Committee on Appropriations (originally sponsored by Representatives Cortes, Eslick, Ortiz-Self, Leavitt, Duerr, Ramel, Slatter,

Taylor, Orwall, Ryu, Reed, Simmons, Ormsby, Fey, Callan, Peterson, Timmons, Kloba, Macri, Street, Gregerson, Doglio, Paul, Chopp, Mena, Goodman, Lekanoff, Reeves, Fosse, Pollet and Davis)

AN ACT Relating to supporting young adults following inpatient behavioral health treatment; adding a new section to chapter 74.09 RCW; and creating new sections.

Referred to Committee on Human Services.

HB 1943 by Representatives Leavitt, Jacobsen, Ryu, Rule, Christian, Couture, Bronoske, Slatter, Chambers, Reeves, Reed, Graham, Timmons, Orwall, Paul, Riccelli and Shavers

AN ACT Relating to the Washington national guard postsecondary education grant program; and amending RCW 28B.103.010, 28B.103.020, and 28B.103.030.

Referred to Committee on Higher Education & Workforce Development.

SHB 1945 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Alvarado, Gregerson, Ryu, Ortiz-Self, Leavitt, Senn, Berry, Ramel, Slatter, Cortes, Morgan, Reed, Simmons, Ormsby, Callan, Peterson, Rule, Kloba, Macri, Street, Chopp, Doglio, Fosse, Mena, Bergquist, Goodman, Tharinger, Thai, Riccelli and Hackney)

AN ACT Relating to streamlining and enhancing program access for persons eligible for food assistance; amending RCW 43.216.1368, 43.216.512, 43.216.512, 43.216.578, and 43.216.578; reenacting and amending RCW 43.216.505; providing effective dates; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

E2SHB 1956 by House Committee on Appropriations (originally sponsored by Representatives Leavitt, Griffey, Ryu, Couture, Ramel, Slatter, Reed, Ormsby, Barnard, Callan, Timmons, Kloba, Cheney, Doglio, Paul, Berg, Lekanoff, Reeves, Riccelli, Wylie, Hackney, Pollet and Shavers; by request of Office of the Governor)

AN ACT Relating to fentanyl and other substance use prevention education; adding a new section to chapter 43.70 RCW; adding a new section to chapter 28A.300 RCW; creating new sections; providing expiration dates; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

HB 1962 by Representatives Low, Cheney, Ryu, Leavitt, Couture, Ramos, Morgan, Reeves, Rule, Graham, Jacobsen, Kloba, Sandlin, Hutchins, Paul, Riccelli, Wylie and Fosse; by request of Secretary of State

AN ACT Relating to improving voter registration list accuracy by improving voter address change processes for county election offices and voters; amending RCW 29A.08.410, 29A.08.620, and 29A.08.640; repealing RCW 29A.08.420; and providing an effective date.

Referred to Committee on State Government & Elections.

THIRTY SEVENTH DAY, FEBRUARY 13, 2024

SHB 1974 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Abbarno, Bronoske and Doglio)
AN ACT Relating to the disposition of human remains; and reenacting and amending RCW 68.50.230.

Referred to Committee on Law & Justice.

SHB 1989 by House Committee on Transportation (originally sponsored by Representatives Barkis, Low, Jacobsen, Graham, Sandlin, Bergquist, Robertson and Hutchins)
AN ACT Relating to a graffiti abatement and reduction program; creating a new section; and providing an expiration date.

Referred to Committee on Transportation.

HB 1992 by Representatives Timmons, Lekanoff, Ramel, Fosse and Reeves; by request of Administrative Office of the Courts
AN ACT Relating to adding an additional superior court judge in Whatcom county; and amending RCW 2.08.063.

Referred to Committee on Law & Justice.

SHB 1997 by House Committee on Innovation, Community & Economic Development, & Veterans (originally sponsored by Representatives Ryu, Leavitt, Reed, Kloba, Reeves, Pollet and Davis; by request of Parks and Recreation Commission)
AN ACT Relating to gubernatorial appointments for the state parks and recreation commission; and amending RCW 79A.05.015.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

E2SHB 2000 by House Committee on Appropriations (originally sponsored by Representatives Mena, Berry, Ramel, Low, Walen, Ryu, Timmons, Reed, Cheney, Nance, Cortes, Santos and Hackney)
AN ACT Relating to renewing Washington's international leadership; amending RCW 43.290.005, 43.290.020, 43.330.065, and 43.15.090; adding new sections to chapter 43.290 RCW; adding a new section to chapter 44.04 RCW; and recodifying RCW 43.330.065.

Referred to Committee on Business, Financial Services, Gaming & Trade.

2SHB 2014 by House Committee on Appropriations (originally sponsored by Representatives Volz, Donaghy, Leavitt, Couture, Ryu, Reed, Ormsby, Graham, Sandlin, Jacobsen, Schmidt, Harris, Steele, Fey, Riccelli, Low, Reeves, Paul, Macri and Shavers; by request of Attorney General)
AN ACT Relating to the definition of veteran and restoring honor to veterans; amending RCW 41.04.005, 41.04.007, 2.48.070, 2.48.090, 9.46.070, 28A.230.120, 28B.15.012, 28B.15.621, 28B.102.020, 41.04.010, 41.06.133, 41.08.040, 41.12.040, 41.16.220, 43.24.130, 43.60A.190, 43.70.270, 46.18.210, 46.18.270, 46.18.280, 46.18.295, 46.20.027, 46.20.161, 72.36.030, 73.08.005, 73.16.010, 73.16.120,

77.32.480, and 84.39.020; reenacting and amending RCW 41.20.050 and 41.40.170; adding a new section to chapter 73.04 RCW; adding a new section to chapter 43.60A RCW; creating new sections; repealing RCW 2.48.100 and 73.04.042; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Elections.

ESHB 2019 by House Committee on Appropriations (originally sponsored by Representatives Stearns, Fosse, Berry, Ryu, Ramos, Ramel, Cortes, Morgan, Simmons, Reed, Ormsby, Peterson, Callan, Timmons, Kloba, Street, Donaghy, Gregerson, Orwall, Goodman, Ortiz-Self, Lekanoff, Riccelli, Reeves, Santos, Hackney, Pollet and Davis)
AN ACT Relating to establishing a Native American apprentice assistance program; adding a new chapter to Title 28B RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SHB 2020 by House Committee on Innovation, Community & Economic Development, & Veterans (originally sponsored by Representatives Timmons, Abbarno, Leavitt, Ryu, Ramel, Reed, Ormsby, Rule, Donaghy, Doglio, Cheney, Reeves, Wylie, Paul and Shavers; by request of Military Department)
AN ACT Relating to creating a state administered public infrastructure assistance program within the emergency management division; amending RCW 38.52.010 and 38.52.030; and creating a new section.

Referred to Committee on State Government & Elections.

ESHB 2021 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Senn, Walen, Berry, Fitzgibbon, Ryu, Duerr, Ramel, Reed, Ormsby, Peterson, Callan, Macri, Gregerson, Farivar, Alvarado, Lekanoff, Doglio, Riccelli, Reeves, Wylie, Santos, Hackney and Pollet)
AN ACT Relating to the disposition of privately owned firearms in the custody of state or local government entities or law enforcement agencies; and amending RCW 9.41.098.

Referred to Committee on Law & Justice.

2SHB 2022 by House Committee on Appropriations (originally sponsored by Representatives Reed, Berry, Ryu, Ormsby, Reeves and Santos)
AN ACT Relating to construction crane safety; amending RCW 49.17.400, 49.17.420, 49.17.440, and 49.17.190; adding new sections to chapter 49.17 RCW; adding a new section to chapter 36.70B RCW; creating a new section; providing an effective date; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SHB 2025 by House Committee on Postsecondary Education & Workforce (originally sponsored by Representatives Reed, Paul and Pollet)
AN ACT Relating to modifying placement and salary matching requirements for the state work-study program;

and amending RCW 28B.12.030, 28B.12.040, and 28B.12.050.

Referred to Committee on Higher Education & Workforce Development.

HB 2034 by Representatives Cheney, Taylor, Leavitt, Ramos, Reed and Reeves; by request of Administrative Office of the Courts

AN ACT Relating to requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations; and amending RCW 3.50.010, 3.50.060, 3.50.805, 3.50.810, 35.20.010, and 39.34.180.

Referred to Committee on Law & Justice.

ESHB 2037 by House Committee on Education (originally sponsored by Representatives Couture, Senn, Leavitt, Fitzgibbon, Rude, Hutchins, Low, Christian, Ramel, Ryu, Ormsby, Barnard, Graham, Callan, Macri, Cheney, Sandlin, Goodman, Caldier, Nance, Riccelli, Reeves, Paul, Pollet, Griffey and Davis)

AN ACT Relating to Holocaust and genocide education in public schools; amending RCW 28A.300.115; adding new sections to chapter 28A.230 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

ESHB 2041 by Representatives Riccelli, Schmick, Simmons, Reed, Schmidt, Macri and Lekanoff

AN ACT Relating to physician assistant collaborative practice; amending RCW 18.71A.020, 18.71A.025, 18.71A.030, 18.71A.050, 18.71A.090, 18.71A.120, 18.71A.150, 51.28.100, 10.77.175, 18.71.030, 7.68.030, 51.04.030, 71.05.215, 71.05.217, 71.05.585, 71.32.110, 71.32.140, 71.32.250, 71.34.020, 71.34.020, 71.34.755, and 74.09.497; reenacting and amending RCW 18.71A.010, 69.50.101, 71.05.020, 71.05.020, 71.34.750, 71.34.750, and 9.41.010; adding a new section to chapter 18.71A RCW; adding a new section to chapter 48.43 RCW; creating a new section; providing effective dates; providing contingent effective dates; providing an expiration date; and providing contingent expiration dates.

Referred to Committee on Health & Long-Term Care.

E2SHB 2099 by House Committee on Appropriations (originally sponsored by Representatives Farivar, Cortes, Pollet, Reed, Simmons, Ormsby, Ramel, Gregerson, Goodman, Caldier, Stonier, Paul, Jacobsen, Nance, Wylie, Street, Reeves, Macri, Davis and Ryu)

AN ACT Relating to state identification cards for persons in state custody or care; amending RCW 72.09.270, 46.20.035, 46.20.117, and 46.20.286; adding a new section to chapter 72.09 RCW; adding a new section to chapter 70.48 RCW; adding a new section to chapter 72.23 RCW; creating a new section; and providing an effective date.

Referred to Committee on State Government & Elections.

ESHB 2115 by House Committee on Health Care & Wellness (originally sponsored by Representatives

Thai, Slatter, Senn, Chapman, Reed, Ramel, Macri, Gregerson, Doglio, Fosse, Riccelli, Wylie and Reeves)

AN ACT Relating to prescription labels for medications used for abortion; and amending RCW 18.64.246 and 69.41.050.

Referred to Committee on Health & Long-Term Care.

ESHB 2131 by House Committee on Environment & Energy (originally sponsored by Representatives Ramel, Slatter, Simmons, Reed, Riccelli, Doglio and Hackney)

AN ACT Relating to promoting the establishment of thermal energy networks; amending RCW 80.04.010 and 80.28.110; adding new sections to chapter 80.28 RCW; adding a new section to chapter 43.31 RCW; adding a new section to chapter 44.28 RCW; and adding a new section to chapter 54.16 RCW.

Referred to Committee on Environment, Energy & Technology.

SHB 2136 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Ormsby, Schmidt, Doglio, Farivar, Berry, Simmons, Reed, Ramel, Mena, Goodman, Berg, Fosse, Reeves, Pollet and Kloba; by request of Attorney General)

AN ACT Relating to prevailing wage sanctions, penalties, and debarment; amending RCW 39.12.010; adding a new section to chapter 39.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

EHB 2199 by Representatives Orcutt, Fitzgibbon, Reed, Doglio and Leavitt

AN ACT Relating to creating business and occupation and public utility tax exemptions for certain amounts received as the result of receipt, generation, purchase, sale, transfer, or retirement of allowances, offset credits, or price ceiling units under the climate commitment act; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

2SHB 2214 by House Committee on Appropriations (originally sponsored by Representatives Slatter, Bergquist, Chopp, Ramel, Reeves, Paul, Morgan, Gregerson, Ormsby, Alvarado, Reed, Fosse, Macri, Goodman, Pollet, Leavitt, Timmons, Davis, Riccelli and Duerr; by request of Student Achievement Council)

AN ACT Relating to permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant; amending RCW 28B.92.200, 28B.92.225, and 28B.92.230; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SHB 2217 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by

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Representatives Cortes, Senn, Santos, Ormsby, Reed, Fosse, Doglio and Pollet))

AN ACT Relating to authority over individuals found guilty of or accused of criminal offenses that occurred when the individual was under age 18; amending RCW 13.40.300, 13.40.110, 13.04.030, and 13.40.020; and creating a new section.

Referred to Committee on Human Services.

SHB 2252 by House Committee on Local Government (originally sponsored by Representatives Klicker, Leavitt, Sandlin, Reed, Fosse, Graham and Taylor)

AN ACT Relating to allowing small business establishments in residential zones; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

EHB 2255 by Representatives Waters, Wylie, Kloba, Davis and Cheney

AN ACT Relating to detecting and preventing the illegal inversion and diversion of cannabis and cannabis products into and out of Washington's regulated cannabis system; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Labor & Commerce.

EHB 2266 by Representatives Stonier, Berry, Leavitt, Davis, Alvarado, Ramel, Peterson, Doglio, Ormsby, Fosse, Morgan, Simmons and Macri

AN ACT Relating to addressing sanitary conditions for construction workers who menstruate or express milk; adding a new section to chapter 49.17 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

2SHB 2270 by House Committee on Appropriations (originally sponsored by Representatives Morgan, Macri, Peterson, Gregerson, Ryu, Reeves, Callan, Bateman, Ormsby, Street, Cortes, Ramel, Kloba, Wylie, Fey, Leavitt, Donaghy, Thai, Goodman, Mena, Taylor, Duerr, Riccelli, Berry, Reed, Santos, Entenman, Ortiz-Self, Simmons, Bergquist, Stonier, Fosse, Timmons, Chapman, Stearns, Nance, Chopp, Shavers, Slatter, Doglio, Pollet, Tharinger, Walen, Bronoske, Orwall, Fitzgibbon, Davis, Alvarado and Paul)

AN ACT Relating to creating a Washington state department of housing; creating new sections; and providing an expiration date.

Referred to Committee on Housing.

SHB 2283 by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Volz, Rule, Senn, Davis, Ramel, Bronoske, Low, Schmidt, Doglio, Ormsby, Riccelli, Chapman and Timmons)

AN ACT Relating to allowing state employees living in an emergency or disaster area to receive shared leave; and adding a new section to chapter 41.04 RCW.

Referred to Committee on State Government & Elections.

SHB 2287 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Farivar, Goodman, Simmons, Chopp, Nance, Street, Davis, Ortiz-Self, Ramel, Peterson and Ormsby)

AN ACT Relating to creating an advisory board to the office of the corrections ombuds; adding a new section to chapter 43.06C RCW; and creating a new section.

Referred to Committee on Human Services.

E2SHB 2311 by House Committee on Appropriations (originally sponsored by Representatives Davis, Maycumber, Paul, Robertson, Callan, Mosbrucker, Goodman, Griffey, Stearns, Reed, Ryu, Couture, Ramel, Ortiz-Self, Eslick, Bateman, Riccelli, Timmons, Simmons, Fosse, Peterson, Pollet and Shavers)

AN ACT Relating to supporting first responder wellness and peer support; amending RCW 5.60.060; adding new sections to chapter 43.101 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

HB 2316 by Representatives Couture, Simmons, Reed and Ormsby; by request of Select Committee on Pension Policy

AN ACT Relating to membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government; and amending RCW 41.40.023.

Referred to Committee on Ways & Means.

2SHB 2320 by House Committee on Appropriations (originally sponsored by Representatives Davis, Eslick, Bergquist, Callan, Dent, Dye, Senn, Leavitt, Harris, Ryu, Walen, Peterson, Pollet and Ramel)

AN ACT Relating to reducing the public health harms associated with high THC cannabis products by raising awareness, implementing and studying health interventions, and increasing the minimum legal age of sale of high THC cannabis products to prevent psychosis; amending RCW 69.50.357; adding a new section to chapter 28B.20 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SHB 2348 by House Committee on Finance (originally sponsored by Representatives Street, Chopp, Taylor, Fitzgibbon, Berry, Orwall, Davis, Alvarado, Farivar, Macri, Ryu, Riccelli and Ormsby)

AN ACT Relating to county hospital funding; amending RCW 36.62.010, 36.62.090, 84.52.043, 84.52.043, 84.52.010, and 84.52.010; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SHB 2355 by House Committee on Health Care & Wellness (originally sponsored by Representatives Nance, Ybarra and Reed)

AN ACT Relating to establishing a primary certification process for magnetic resonance imaging technologists; amending RCW 18.84.080, 18.84.030, and 18.84.130; and reenacting and amending RCW 18.84.020.

MOTION

On motion of Senator Nobles, Senator Salomon was excused.

Referred to Committee on Health & Long-Term Care.

APPOINTMENT OF NICOLE R. BASCOMB-GREEN

ESHB 2361 by House Committee on Health Care & Wellness (originally sponsored by Representatives Riccelli, Macri, Nance, Reed, Simmons and Ormsb)

The President declared the question before the Senate to be the confirmation of Nicole R. Bascomb-Green, Senate Gubernatorial Appointment No. 9382, as a Chair of the Housing Finance Commission.

AN ACT Relating to phasing in the requirement that only standardized health plans may be offered on the health benefit exchange; amending RCW 43.71.095; adding a new section to chapter 43.71 RCW; and providing an expiration date.

The Secretary called the roll on the confirmation of Nicole R. Bascomb-Green, Senate Gubernatorial Appointment No. 9382, as a Chair of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

Referred to Committee on Health & Long-Term Care.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

E2SHB 2401 by House Committee on Appropriations (originally sponsored by Representatives Duerr, Doglio, Berry, Fitzgibbon, Ramel and Pollet)

Absent: Senators Fortunato and Lovick

AN ACT Relating to providing for the responsible management of refrigerant gases with a higher global warming potential than carbon dioxide that are used in appliances or other infrastructure; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 70A RCW; and prescribing penalties.

Nicole R. Bascomb-Green, Senate Gubernatorial Appointment No. 9382, having received the constitutional majority was declared confirmed as a Chair of the Housing Finance Commission.

Referred to Committee on Environment, Energy & Technology.

THIRD READING

HB 2433 by Representative Orcutt

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

AN ACT Relating to administration of the southwest Washington fair by the Lewis county board of county commissioners; and amending RCW 36.90.010, 36.90.020, 36.90.030, 36.90.050, and 36.90.070.

MOTION

Referred to Committee on Local Government, Land Use & Tribal Affairs.

Senator Short moved that Joseph R. Maroney, Senate Gubernatorial Appointment No. 9251, be confirmed as a member of the Salmon Recovery Funding Board.

Senator Short spoke in favor of the motion.

MOTIONS

MOTION

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Wagoner, Senator Fortunato was excused.

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

APPOINTMENT OF JOSEPH R. MARONEY

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members representatives Future Farmers of America (FFA), Castle Rock Chapter, Heritage Chapter (Vancouver), and Kelso Chapter who were seated in the gallery and guests of Senator Jeff Wilson.

The President declared the question before the Senate to be the confirmation of Joseph R. Maroney, Senate Gubernatorial Appointment No. 9251, as a member of the Salmon Recovery Funding Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

The Secretary called the roll on the confirmation of Joseph R. Maroney, Senate Gubernatorial Appointment No. 9251, as a member of the Salmon Recovery Funding Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

MOTION

Senator Kuderer moved that Nicole R. Bascomb-Green, Senate Gubernatorial Appointment No. 9382, be confirmed as a Chair of the Housing Finance Commission.

Senator Kuderer spoke in favor of the motion.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,

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Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Fortunato

Joseph R. Maroney, Senate Gubernatorial Appointment No. 9251, having received the constitutional majority was declared confirmed as a member of the Salmon Recovery Funding Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, J. moved that Paula M. Akerlund, Senate Gubernatorial Appointment No. 9258, be confirmed as a member of the Grays Harbor College Board of Trustees.

Senator Wilson, J. spoke in favor of the motion.

APPOINTMENT OF PAULA M. AKERLUND

The President declared the question before the Senate to be the confirmation of Paula M. Akerlund, Senate Gubernatorial Appointment No. 9258, as a member of the Grays Harbor College Board of Trustees.

The Secretary called the roll on the confirmation of Paula M. Akerlund, Senate Gubernatorial Appointment No. 9258, as a member of the Grays Harbor College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Paula M. Akerlund, Senate Gubernatorial Appointment No. 9258, having received the constitutional majority was declared confirmed as a member of the Grays Harbor College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dozier moved that Sergio Hernandez, Senate Gubernatorial Appointment No. 9285, be confirmed as a member of the Walla Walla Community College Board of Trustees.

Senator Dozier spoke in favor of the motion.

APPOINTMENT OF SERGIO HERNANDEZ

The President declared the question before the Senate to be the confirmation of Sergio Hernandez, Senate Gubernatorial Appointment No. 9285, as a member of the Walla Walla Community College Board of Trustees.

The Secretary called the roll on the confirmation of Sergio Hernandez, Senate Gubernatorial Appointment No. 9285, as a member of the Walla Walla Community College Board of

Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Sergio Hernandez, Senate Gubernatorial Appointment No. 9285, having received the constitutional majority was declared confirmed as a member of the Walla Walla Community College Board of Trustees.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6013, by Senators Shewmake, Dhingra, Kuderer, and Saldaña

Expanding the homeownership development property tax exemption to include real property sold to low-income households for building residences using mutual self-help housing construction.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 680 by Senator Fortunato be adopted:

On page 1, line 9, after "(1)" insert "(a)"

On page 1, beginning on line 10, after "by" strike all material through "A" on line 11 and insert "a"

On page 1, beginning on line 16, after "~~taxes~~)" strike all material through "property" on line 20 and insert ".

(b)(i) All real property is exempt from state property tax if owned by a nonprofit entity for the purpose of selling the real property to a low-income household who enters into an agreement with the nonprofit to build, or have built, through a qualified mutual self-help housing program a residence on the real property.

(ii) The exemption under (b)(i) of this subsection does not apply to local property taxes"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 680 by Senator Fortunato on page 1, line 9 to Senate Bill No. 6013.

The motion by Senator Fortunato did not carry and amendment no. 680 was not adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Senate Bill No. 6013 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senators Shewmake and Dozier spoke in favor of passage of the bill.

Senator Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6013.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6013 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Fortunato, Hasegawa, Hawkins, MacEwen, McCune, Padden, Schoesler, Short, Warnick and Wilson, L.

SENATE BILL NO. 6013, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, following a gentle reminder by the President, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 5629, by Senators Conway, Dhingra, Hasegawa, Nobles, and Wilson, C.

Concerning hepatitis B and hepatitis C screening and health care services.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Conway, the rules were suspended and Senate Bill No. 5629 was returned to second reading for the purposes of amendment.

Senator Conway moved that the following striking amendment no. 547 by Senators Cleveland and Conway be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 70.54 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, an adult patient who receives primary care services from a health care clinic where primary care services are provided shall be offered a hepatitis B screening test and a hepatitis C screening test during an annual physical examination or wellness visit based on the latest screening indications recommended by the federal centers for disease control and prevention. A health care clinic where primary care services are provided may comply with this subsection by:

(a) Offering patients that meet the recommended screening indications a hepatitis B screening test and a hepatitis C screening test during an annual physical examination or wellness visit;

(b) Incorporating a prompt for hepatitis B screening tests and hepatitis C screening tests for the recommended populations into the health care clinic's electronic health record system; or

(c) Sending routine mailers or electronic communications to the health care clinic's primary care patients that meet the recommended screening indications informing patients of the availability and importance of hepatitis B screening tests and hepatitis C screening tests.

(2) A hepatitis B screening test and a hepatitis C screening test are not required to be offered by the health care clinic if:

(a) The patient is being treated for a life-threatening emergency;

(b) The patient has previously been offered or has been the subject of a hepatitis B screening test or a hepatitis C screening test, unless a health care provider within the health care clinic determines that one or both of the screening tests should be offered again; or

(c) The patient lacks capacity to consent to a hepatitis B screening test or a hepatitis C screening test, or both.

(3)(a) If the patient accepts the offer of the hepatitis B screening test and the test is hepatitis B surface antigen positive, the health care provider within the health care clinic shall offer the patient follow-up health care or refer the patient to another health care provider who can provide follow-up health care.

(b) If a patient accepts the offer of the hepatitis C screening test and the test is positive, the health care provider within the health care clinic shall offer the patient follow-up health care or refer the patient to another health care provider who can provide follow-up health care. The follow-up health care shall include a hepatitis C diagnostic test.

(4) The offering of a hepatitis B screening test and a hepatitis C screening test under this section must be culturally and linguistically appropriate.

(5) This section does not affect the scope of practice of any health care provider or diminish any authority or legal or professional obligation of any health care provider to offer a hepatitis B screening test, hepatitis C screening test, or both, or a hepatitis C diagnostic test, or to provide services or care for the patient of a hepatitis B screening test, hepatitis C screening test, or both, or a hepatitis C diagnostic test.

(6) A health care provider or health care clinic where primary care services are provided that fails to comply with the requirements of this section shall not be subject to any actions related to their licensure or certification, or to any civil or criminal liability, because of the health care clinic's failure to comply with the requirements of this section.

(7) The department may adopt rules necessary to implement this section and any additional rules involving the offering of screening tests and treatment requirements for hepatitis B and hepatitis C and the training for health care clinics and health care providers.

(8) For purposes of this section:

(a) "Follow-up health care" includes providing medical management and antiviral treatment for chronic hepatitis B or hepatitis C according to the latest national clinical practice guidelines recommended by the American association for the study of liver diseases.

(b) "Health care clinic where primary care services are provided" means an unlicensed health care clinic and any other health care setting where primary care services are provided.

(c) "Hepatitis B screening test" includes any laboratory test or tests that detect the presence of hepatitis B surface antigen and

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provides confirmation of whether the patient has a chronic hepatitis B infection.

(d) "Hepatitis C diagnostic test" includes any laboratory test or tests that detect the presence of the hepatitis C virus in the blood and provides confirmation of whether the patient has an active hepatitis C virus infection.

(e) "Hepatitis C screening test" includes any laboratory screening test or tests that detect the presence of hepatitis C virus antibodies in the blood and provides confirmation of whether the patient has ever been infected with the hepatitis C virus.

NEW SECTION. Sec. 2. A new section is added to chapter 43.70 RCW to read as follows:

(1) By September 1, 2025, and subject to the availability of amounts appropriated for this specific purpose, the department shall design a hepatitis B and a hepatitis C awareness campaign for the public and primary care providers. The department shall collaborate with health care providers and community-based organizations that serve high risk patients and patient groups that historically have lacked health care coverage or access to consistent primary care services.

(2) The awareness campaign must focus on increasing awareness of the prevalence of hepatitis B and hepatitis C, the potential treatments and cures for hepatitis B and hepatitis C, and aim to reduce the stigmas surrounding hepatitis B and hepatitis C.

(3) This section expires December 31, 2027.

Sec. 3. RCW 43.70.613 and 2021 c 276 s 2 are each amended to read as follows:

(1) By January 1, 2024, the rule-making authority for each health profession licensed under Title 18 RCW subject to continuing education requirements must adopt rules requiring a licensee to complete health equity continuing education training at least once every four years.

(2) Health equity continuing education courses may be taken in addition to or, if a rule-making authority determines the course fulfills existing continuing education requirements, in place of other continuing education requirements imposed by the rule-making authority.

(3)(a) The secretary and the rule-making authorities must work collaboratively to provide information to licensees about available courses. The secretary and rule-making authorities shall consult with patients or communities with lived experiences of health inequities or racism in the health care system and relevant professional organizations when developing the information and must make this information available by July 1, 2023. The information should include a course option that is free of charge to licensees. It is not required that courses be included in the information in order to fulfill the health equity continuing education requirement.

(b) By January 1, 2023, the department, in consultation with the boards and commissions, shall adopt model rules establishing the minimum standards for continuing education programs meeting the requirements of this section. The department shall consult with patients or communities with lived experience of health inequities or racism in the health care system, relevant professional organizations, and the rule-making authorities in the development of these rules.

(c) The minimum standards must include instruction on skills to address the structural factors, such as bias, racism, and poverty, that manifest as health inequities. These skills include individual-level and system-level intervention, and self-reflection to assess how the licensee's social position can influence their relationship with patients and their communities. These skills enable a health care professional to care effectively for patients from diverse cultures, groups, and communities, varying in race, ethnicity, gender identity, sexuality, religion, age, ability, socioeconomic

status, and other categories of identity. The courses must assess the licensee's ability to apply health equity concepts into practice. Course topics may include, but are not limited to:

(i) Strategies for recognizing patterns of health care disparities on an individual, institutional, and structural level and eliminating factors that influence them;

(ii) Intercultural communication skills training, including how to work effectively with an interpreter and how communication styles differ across cultures;

(iii) Implicit bias training to identify strategies to reduce bias during assessment and diagnosis;

(iv) Methods for addressing the emotional well-being of children and youth of diverse backgrounds;

(v) Ensuring equity and antiracism in care delivery pertaining to medical developments and emerging therapies;

(vi) Structural competency training addressing five core competencies:

(A) Recognizing the structures that shape clinical interactions;

(B) Developing an extraclinical language of structure;

(C) Rearticulating "cultural" formulations in structural terms;

(D) Observing and imagining structural interventions; and

(E) Developing structural humility; ~~(and)~~

(vii) Cultural safety training; and

(viii) Viral hepatitis screening and treatment, including courses related to recommendations from the federal centers for disease control and prevention and the United States preventive services task force.

(4) The rule-making authority may adopt rules to implement and administer this section, including rules to establish a process to determine if a continuing education course meets the health equity continuing education requirement established in this section.

(5) For purposes of this section the following definitions apply:

(a) "Rule-making authority" means the regulatory entities identified in RCW 18.130.040 and authorized to establish continuing education requirements for the health care professions governed by those regulatory entities.

(b) "Structural competency" means a shift in medical education away from pedagogic approaches to stigma and inequalities that emphasize cross-cultural understandings of individual patients, toward attention to forces that influence health outcomes at levels above individual interactions. Structural competency reviews existing structural approaches to stigma and health inequities developed outside of medicine and proposes changes to United States medical education that will infuse clinical training with a structural focus.

(c) "Cultural safety" means an examination by health care professionals of themselves and the potential impact of their own culture on clinical interactions and health care service delivery. This requires individual health care professionals and health care organizations to acknowledge and address their own biases, attitudes, assumptions, stereotypes, prejudices, structures, and characteristics that may affect the quality of care provided. In doing so, cultural safety encompasses a critical consciousness where health care professionals and health care organizations engage in ongoing self-reflection and self-awareness and hold themselves accountable for providing culturally safe care, as defined by the patient and their communities, and as measured through progress towards achieving health equity. Cultural safety requires health care professionals and their associated health care organizations to influence health care to reduce bias and achieve equity within the workforce and working environment."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 43.70.613;

adding a new section to chapter 70.54 RCW; adding a new section to chapter 43.70 RCW; and providing an expiration date."

Senators Conway and Rivers spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 547 by Senators Cleveland and Conway to Senate Bill No. 5629.

The motion by Senator Conway carried and striking amendment no. 547 was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Senate Bill No. 5629 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5629.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5629 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5629, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5829, by Senators Frame, Rivers, Shewmake, Trudeau, Lovelett, Dhingra, Hasegawa, Kuderer, Liias, Nobles, Valdez, and Wilson, C.

Screening newborn infants for congenital cytomegalovirus.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5829 was substituted for Senate Bill No. 5829 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5829, by Senate Committee on Health & Long Term Care (originally sponsored by Frame, Rivers, Shewmake, Trudeau, Lovelett, Dhingra, Hasegawa, Kuderer, Liias, Nobles, Valdez, and Wilson, C.)

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5829 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5829.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5829 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5829, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5836, by Senators Wilson, L., Cleveland, Dhingra, Frame, Mullet, Padden, and Rivers

Adding an additional superior court judge in Clark county.

The measure was read the second time.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Senate Bill No. 5836 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5836.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5836 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5836, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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SECOND READING

SENATE BILL NO. 5828, by Senators Shewmake, Lovelett, Dhingra, Lovick, and Nobles

Concerning water rights adjudication commissioners and referees.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 5828 was substituted for Senate Bill No. 5828 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5828, by Senate Committee on Law & Justice (originally sponsored by Shewmake, Lovelett, Dhingra, Lovick, and Nobles)

Senator Shewmake moved that the following amendment no. 519 by Senator Shewmake be adopted:

On page 2, after line 21, insert the following:
 "All acts and proceedings of a water commissioner are subject to revision by the superior court as provided in RCW 2.24.050."
 On page 3, line 4, after "court." insert "The court may order all or any issues in a water adjudication, whether of fact or law, or both, referred to a referee by order of reference. RCW 4.48.010, 4.48.020, 4.48.050, and 4.48.110 do not apply to referees appointed pursuant to this chapter. Challenges to the appointment of a referee must be made pursuant to RCW 90.03.620."

Senator Shewmake spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 519 by Senator Shewmake on page 2, after line 21 to Substitute Senate Bill No. 5828.

The motion by Senator Shewmake carried and amendment no. 519 was adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Engrossed Substitute Senate Bill No. 5828 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5828.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5828 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5828, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6222, by Senators Wagoner, Dhingra, and Lovick

Concerning the number of district court judges.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 6222 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6222.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6222 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 6222, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6296, by Senators Boehnke, and Dozier

Establishing a retail industry work group.

The measure was read the second time.

MOTION

Senator Conway moved that the following amendment no. 679 by Senators Boehnke and Conway be adopted:

On page 1, line 11, after "degrees" insert "and state-registered apprenticeship programs"

On page 1, line 17, after "certificates," insert "state-registered apprenticeship programs,"

On page 2, after line 10, insert the following:

"(3) "State-registered apprenticeship program" means an approved apprenticeship program under chapter 49.04 RCW that has been approved to participate in state financial aid programs."

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Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senators Conway and Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 679 by Senators Boehnke and Conway on page 1, line 11 to Senate Bill No. 6296.

The motion by Senator Conway carried and amendment no. 679 was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Tiffany Park Elementary School, Renton who were seated in the gallery and guests of Senator Hasegawa.

MOTION

On motion of Senator Boehnke, the rules were suspended, Engrossed Senate Bill No. 6296 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke and Nobles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6296.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6296 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 6296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6125, by Senators Kauffman, Frame, Wellman, Trudeau, Wilson, J., Conway, Kuderer, Lovick, Nguyen, Nobles, Saldaña, Valdez, Wagoner, and Wilson, C.

Preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state.

MOTIONS

On motion of Senator Kauffman, Substitute Senate Bill No. 6125 was substituted for Senate Bill No. 6125 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6125, by Senate Committee on Ways & Means (originally sponsored by Kauffman, Frame, Wellman, Trudeau, Wilson, J., Conway, Kuderer, Lovick, Nguyen, Nobles, Saldaña, Valdez, Wagoner, and Wilson, C.)

On motion of Senator Kauffman, the rules were suspended, Substitute Senate Bill No. 6125 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kauffman and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6125.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6125 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6125, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5972, by Senators Liias, Van De Wege, Billig, Nobles, Pedersen, and Salomon

Concerning the use of neonicotinoid pesticides.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5972 was substituted for Senate Bill No. 5972 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5972, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Liias, Van De Wege, Billig, Nobles, Pedersen, and Salomon)

Senator Wilson, L. moved that the following amendment no. 653 by Senator Wilson, L. be adopted:

On page 1, line 8, after "approximately" strike "75" and insert "35"

On page 2, line 15, after "on" strike "outdoor plants" and insert "nonproduction outdoor ornamental plants, trees, and turf"

On page 2, line 16, after "made" strike "by" and insert "as part of"

On page 2, line 16, after "application" insert ", a tree injection,"

On page 2, line 20, after "pesticides" insert "that are restricted under subsection (1) of this section"

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Senator Liias spoke in favor of adoption of the amendment.

Senators Muzzall and Wagoner spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 653 by Senator Wilson, L. on page 1, line 8 to Substitute Senate Bill No. 5972.

The motion by Senator Wilson, L. did not carry and amendment no. 653 was not adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5972 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

Senators Muzzall and Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5972.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5972 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5972, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6121, by Senators Van De Wege, Nobles, and Randall

Concerning biochar production from agricultural and forestry biomass.

MOTIONS

On motion of Senator Van De Wege, Substitute Senate Bill No. 6121 was substituted for Senate Bill No. 6121 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6121, by Committee on Environment, Energy & Technology (originally sponsored by Senators Van De Wege, Nobles, and Randall)

Revised for substitute: Concerning agricultural and forestry biomass.

On motion of Senator Van De Wege, the rules were suspended, Substitute Senate Bill No. 6121 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6121.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6121 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate resumed consideration of Substitute Senate Bill No. 6040 which had been deferred on February 6, 2024, the thirtieth legislative day.

SECOND READING

SUBSTITUTE SENATE BILL NO. 6040, by Committee on State Government & Elections (originally sponsored by Senators Valdez, Keiser, Conway, Hasegawa, and Nobles)

Concerning prompt payment in public works.

The President reviewed the status of the measure and declared the question before the Senate to be the motion by Senator Fortunato that the following amendment no. 537 by Senator Fortunato to Substitute Senate Bill No. 6040 be adopted:

On page 1, line 6, after "(1)" strike "(a) When" and insert "~~(When)~~ (a) Except as provided in (b) of this subsection, when"

On page 1, beginning on line 18, after "program" strike all material through "work" on line 20

On page 1, after line 20, insert the following:

"(ii) If a contractor has not yet received payment from the state or municipality for work on a public work, a subcontractor that is a small business certified with the office of minority and women's business enterprises under chapter 39.19 RCW, or is recognized as a women or minority-owned business enterprise in a state of Washington port, county, or municipal small business or women or minority-owned business enterprise program, must opt into prompt payment from the contractor for work satisfactorily completed or material delivered. Payment under this subsection must be reduced at a rate of two percent. If a subcontractor under this subsection does not opt into payment as described under this subsection, payment must be provided as outlined in (a) of this subsection."

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Valdez spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 537 by Senator Fortunato on page 1, line 6 to Substitute Senate Bill No. 6040.

The motion by Senator Fortunato did not carry and amendment no. 537 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 542 by Senator Wilson, J. be adopted:

On page 1, line 8, after "~~(ten)~~" strike "10" and insert "five"

On page 1, beginning on line 12, after "(b)(i)" strike all material through "work." on line 20 and insert "The state or municipality must pay the prime contractor within 30 days for work satisfactorily completed or materials delivered by a subcontractor."

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senator Valdez spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 542 by Senator Wilson, J. on page 1, line 8 to Substitute Senate Bill No. 6040.

The motion by Senator Wilson, J. did not carry and amendment no. 542 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 543 by Senator Wilson, J. be adopted:

Beginning on page 1, line 12, after "(b)" strike all material through "complete." on page 2, line 4, and insert "The capital projects advisory review board shall conduct a study evaluating the implementation of prompt pay for small business subcontractors and present findings to the appropriate committees of the legislature on or before November 30, 2024."

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senator Valdez spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 543 by Senator Wilson, J. on page 1, line 12 to Substitute Senate Bill No. 6040.

The motion by Senator Wilson, J. did not carry and amendment no. 543 was not adopted by voice vote.

MOTION

Senator Valdez moved that the following amendment no. 647 by Senator Valdez be adopted:

On page 1, beginning on line 12, after "(b)(i)" strike all material through "work." on line 20 and insert "The state must pay the prime contractor within 30 days for work satisfactorily completed or materials delivered by a subcontractor of any tier that is small business certified with the office of minority and women's business enterprises under chapter 39.19 RCW, or is recognized

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as a women or minority-owned business enterprise in a state of Washington port, county, or municipal small business or women or minority-owned business enterprise program. Within 10 days of receipt of payment, the prime contractor and each higher tier subcontractor must make payment to its subcontractor until the subcontractor that is a certified small business or recognized women or minority-owned business has received payment."

On page 2, line 21, after "1," strike "2024" and insert "2025"

Senator Valdez spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 647 by Senator Valdez on page 1, line 12 to Substitute Senate Bill No. 6040.

The motion by Senator Valdez carried and amendment no. 647 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 538 by Senator Fortunato be adopted:

On page 1, beginning on line 14, after "business" strike all material through "program" on line 18 and insert "as defined in RCW 39.26.010"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Valdez spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 538 by Senator Fortunato on page 1, line 14 to Substitute Senate Bill No. 6040.

The motion by Senator Fortunato did not carry and amendment no. 538 was not adopted by voice vote.

MOTION

On motion of Senator Valdez, the rules were suspended, Engrossed Substitute Senate Bill No. 6040 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

Senator King spoke on passage of the bill.

Senators Wilson, J. and Fortunato spoke against passage of the bill.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced homeschool students from Lewis, Cowlitz and Wahkiakum counties who were seated in the gallery and guests of Senator Jeff Wilson and Senator John Braun.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6040.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6040 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

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Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, Holy, MacEwen, McCune, Padden, Schoesler, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6040, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6068, by Senators Boehnke and Wilson, C.

Reporting on dependency outcomes.

MOTIONS

On motion of Senator Boehnke, Second Substitute Senate Bill No. 6068 was substituted for Senate Bill No. 6068 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6068, by Senate Committee on Ways & Means (originally sponsored by Boehnke, and Wilson, C.)

Senator Boehnke moved that the following amendment no. 660 by Senator Boehnke be adopted:

On page 1, line 9, after "mentors," insert "tribes,"

On page 3, line 1, after "corrections:" insert "tribal data experts:"

Senators Boehnke and Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 660 by Senator Boehnke on page 1, line 9 to Second Substitute Senate Bill No. 6068.

The motion by Senator Boehnke carried and amendment no. 660 was adopted by voice vote.

MOTION

Senator Wilson, C. moved that the following amendment no. 645 by Senator Wilson, C. be adopted:

On page 2, line 31, after "collected:" strike "and"

On page 2, line 33, after "system" insert "; and
(g) How many children in dependency have incarcerated parents:"

Senators Wilson, C. and Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 645 by Senator Wilson, C. on page 2, line 31 to Second Substitute Senate Bill No. 6068.

The motion by Senator Wilson, C. carried and amendment no. 645 was adopted by voice vote.

MOTION

On motion of Senator Boehnke, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6068 was advanced

to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke and Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6068.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6068 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6068, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5902, by Senators Van De Wege, Liias, Mullet, Nobles, Saldaña, and Wagoner

Reinvesting account revenue for the purpose of supporting the state park system.

MOTIONS

On motion of Senator Van De Wege, Substitute Senate Bill No. 5902 was substituted for Senate Bill No. 5902 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5902, by Senate Committee on Ways & Means (originally sponsored by Van De Wege, Liias, Mullet, Nobles, Saldaña, and Wagoner)

On motion of Senator Van De Wege, the rules were suspended, Substitute Senate Bill No. 5902 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5902.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5902 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King,

MOTIONS

Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5902, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6162, by Senators Schoesler, Pedersen, Dozier, Keiser, and Wellman

Adding a penalty for excessive fees for locating abandoned property held by a county.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 6162 was substituted for Senate Bill No. 6162 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6162, by Senate Committee on Law & Justice (originally sponsored by Schoesler, Pedersen, Dozier, Keiser, and Wellman)

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 6162 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6162.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6162 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6162, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5657, by Senators Wilson, J., Mullet, and Wilson, L.

Concerning city and town permitting of kit homes.

On motion of Senator Wilson, J., Substitute Senate Bill No. 5657 was substituted for Senate Bill No. 5657 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5657, by Senate Committee on State Government & Elections (originally sponsored by Wilson, J., Mullet, and Wilson, L.)

Senator Wilson, J. moved that the following amendment no. 624 by Senator Wilson, J. be adopted:

On page 2, beginning on line 3, after "structures" strike all material through "foundation" on line 6 and insert ":

(a) Designed and constructed in a factory to sufficient life, health, and safety standards as outlined in the United States department of housing and urban development code; and

(b) Inspected at the factory by the department of labor and industries for in-state factories, or inspected by the functional equivalent of the department of labor and industries for out-of-state factories"

Senator Wilson, J. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 624 by Senator Wilson, J. on page 2, line 3 to Substitute Senate Bill No. 5657.

The motion by Senator Wilson, J. carried and amendment no. 624 was adopted by voice vote.

MOTION

On motion of Senator Wilson, J., the rules were suspended, Engrossed Substitute Senate Bill No. 5657 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J., Hunt and Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5657.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5657 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5657, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5546, by Senate Committee on Labor & Commerce (originally sponsored by Shewmake, Lovick, Keiser, King, Stanford, Conway, and Wilson, C.)

Establishing a Washington state cannabis commission.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Shewmake, the rules were suspended and Engrossed Substitute Senate Bill No. 5546 was returned to second reading for the purposes of amendment.

Senator Shewmake moved that the following striking amendment no. 579 by Senator Shewmake be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the Washington state liquor and cannabis board exists to promote safe communities and public safety, and that there is no state entity to oversee research and education of the state's cannabis industry.

(2) The legislature therefore declares:

(a) The Washington state cannabis commission is established to benefit the people of the state of Washington and its economy;

(b) The general welfare of the people of the state will be served by the research and development of best practices surrounding safe cultivation and processing activities of cannabis so the industry is therefore affected with the public interest; and

(c) Creating a Washington state cannabis commission for the public purpose of administering the revenue of the commission serves the public interest by materially advancing the producing and processing of cannabis and improving environmental sustainability in the cannabis producing and processing sectors.

(3) To complement the development of a comprehensive regulatory scheme for the production and processing of cannabis and cannabis products, the legislature further declares that:

(a) It is in the overriding public interest that the state support responsible agricultural production of cannabis in order to:

(i) Protect the public by providing research and education in reference to the quality, care, and methods used in the production of cannabis and cannabis products; and

(ii) Support and engage in programs or activities that benefit the safe production, handling, processing, and uses of cannabis and cannabis products; and

(b) Cannabis production and processing is a highly regulated industry and that this chapter and the rules adopted under it are only one aspect of the regulated industry. Other applicable laws include:

(i) Chapter 15.130 RCW, the food safety and security act;

(ii) Chapter 15.125 RCW, cannabis and cannabis products;

(iii) Title 69 RCW, food, drugs, cosmetics, and poisons; and

(iv) Chapter 82.08 RCW, retail sales tax.

(4) This chapter and any rules adopted under this chapter are for the purpose of fostering responsible and orderly agricultural production of cannabis. Nothing in this chapter should be interpreted to conflict with or supersede the overriding regulatory authority the legislature has already granted to other state agencies.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Active cannabis producer" means a cannabis producer who reported gross income that is subject to tax under chapter 82.04 RCW in the calendar year before the date of a referendum under section 3 of this act.

(2) "Active cannabis producer/processor" means a cannabis producer/processor who reported gross income that is subject to tax under chapter 82.04 RCW in the calendar year before the date of a referendum under section 3 of this act.

(3) "Board" means the Washington state liquor and cannabis board.

(4) "Cannabis" has the meaning provided in RCW 69.50.101.

(5) "Cannabis producer" has the meaning provided in RCW 69.50.101.

(6) "Cannabis products" has the meaning provided in RCW 69.50.101.

(7) "Cannabis processor" has the meaning provided in RCW 69.50.101.

(8) "Cannabis producer/processor" means any person or legal entity holding both a cannabis producer license and a cannabis processor license as defined in RCW 69.50.101.

(9) "Cannabis researcher" has the same meaning provided in RCW 69.50.101.

(10) "Cannabis retailer" has the same meaning provided in RCW 69.50.101.

(11) "Commission" means the Washington state cannabis commission established in this chapter.

(12) "Cooperative" means a cannabis cooperative formed by qualifying patients, designated providers, or both, which meets the requirements of RCW 69.51A.250 and rules adopted under that section.

(13) "District" means each of the geographical areas of the state of Washington defined in subsections (14) through (17) of this section.

(14) "District 1" means the geographical area including the counties of Clallum, Island, Jefferson, King, San Juan, Skagit, Snohomish, and Whatcom.

(15) "District 2" means the geographical area including the counties of Chelan, Douglas, Ferry, Grant, Kittitas, Okanogan, Pend Oreille, and Stevens.

(16) "District 3" means the geographical area including the counties of Adams, Asotin, Benton, Columbia, Franklin, Garfield, Lincoln, Spokane, Walla Walla, Whitman, and Yakima.

(17) "District 4" means the geographical area including the counties of Clark, Cowlitz, Grays Harbor, Kitsap, Klickitat, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum.

(18) "Fiscal year" means the 12-month period beginning July 1st of any year and ending June 30th.

(19) "Interested parties" means governmental departments, agencies, and bodies at the federal, state, or local levels. "Interested parties" includes tribal governments, universities, national and international associations, and other public or private sector organizations with an interest in cannabis-related matters.

(20) "Tier" means any of the production licensing categories established by rule of the board.

NEW SECTION. Sec. 3. (1) Upon receipt of a petition containing the signatures of five active cannabis producers or active cannabis producer/processors, to implement this chapter and to determine participation in the commission and assessment under this chapter, the director must conduct a referendum of active cannabis producers and active cannabis producer/processors.

(a) The referendum must be conducted within 60 days of receipt of the petition.

(b) The department must establish a list of active cannabis producers and active cannabis producer/processors eligible to vote in the referendum in collaboration with the board and the department of revenue. Inadvertent failure to notify an active cannabis producer or active cannabis producer/processor does not invalidate a proceeding conducted under this chapter.

(2) The requirements of assent or approval of a referendum under subsection (1) of this section are met if:

(a) At least 51 percent by numbers of the participants in the referendum vote affirmatively; and

(b) At least 40 percent of the active cannabis producers and 40 percent of the active cannabis producer/processors have been represented in the referendum to determine assent or approval of participation and assessment.

(3) If the director determines that the requisite assent has not been given in the referendum conducted under subsection (1) of this section, the director must take no further action to implement or enforce this chapter.

(4) Upon completion of the referendum conducted under subsection (1) of this section, the department must tally the results of the vote and provide the results to participants. If an active cannabis producer or an active cannabis producer/processor disputes the results of a vote within 60 days from the announced results, that cannabis producer or cannabis producer/processor must provide in writing a statement of why the vote is disputed and request a recount.

(5) The director is not required to hold a referendum under subsection (1) of this section more than once in any 12-month period.

(6) The director may conduct voting on a referendum under this chapter by electronic means, paper ballots, or both.

NEW SECTION. Sec. 4. Within 60 days of the director determining that requisite assent has been given in a referendum conducted under section 3 of this act, the director must establish the Washington state cannabis commission to:

(1) Plan and conduct programs for cannabis-related matters;

(2) Provide funding for conducting research in accordance with commission rules;

(3) Coordinate with and advise interested parties regarding cannabis-related matters within the scope of the powers and purposes of the commission in accordance with commission rules;

(4) Coordinate with interested parties to standardize methods by which to identify and determine the genetics, strains, cultivars, phenotypes, standards, and grades of cannabis, and advise on cannabis packaging and labeling requirements;

(5) Conduct reviews, surveys, and inquiries regarding market metrics and analytics, including trends, revenues, profitability, projections, production, business practices, and other economic drivers of the cannabis industry;

(6) Inform and advise cannabis producers and cannabis producer/processors on cannabis-related matters, including, without limitation, educational information on cannabis cultivation, usage, risks, and related technical and scientific developments;

(7) Provide cannabis-related education and training to cannabis producers, cannabis producer/processors, cannabis researchers, and their employees, which may include education and training on cannabis health and safety information;

(8) Provide information and services for meeting resource conservation objectives of cannabis producers and cannabis producer/processors;

(9) Assist and cooperate with federal, state, and local government agencies in the investigation and control of pests, diseases, and other factors that could adversely affect the cultivation, quality, and safety of cannabis produced in this state;

(10) Advance the knowledge and practices of cannabis production in this state through research and testing methods to improve pest management, worker protection, safety training, energy efficiency, and environmental protection;

(11) Foster conditions favorable to investment in cannabis produced in this state in accordance with state and federal laws;

(12) Limit youth access and youth exposure to cannabis;

(13) Enable cannabis producers and cannabis producer/processors, in cooperation with the commission, to:

(a) Develop and engage in research, including, without limitation, discovering better and more efficient production, irrigation, odor mitigation, processing, transportation, handling, packaging, and use of cannabis and cannabis products; and

(b) Discover and develop new and improved cultivars to ensure reliable and economical cannabis production in this state;

(14) Establish uniform grading and proper preparation of cannabis products for market;

(15) Protect the interest of consumers and the state by advising on the overall production of cannabis to ensure a balanced and sufficient supply of cannabis and cannabis products of good quality during all seasons and at all times; and

(16) Advance the knowledge and practices of processing cannabis in this state.

NEW SECTION. Sec. 5. (1) The commission must:

(a) Elect a chair and other officers by a majority vote of the commission or in accordance with bylaws adopted by the commission;

(b) Adopt, rescind, and amend bylaws and other internal rules necessary for the administration and operation of the commission and for carrying out its duties in this chapter;

(c) Administer and enforce the provisions of this chapter;

(d) Designate a public records officer, rules coordinator, and other representatives required under laws governing state agencies and commissions;

(e) Comply with all other laws applicable to state agencies and commissions;

(f) Institute and maintain in its own name any legal actions, including actions by injunction, mandatory injunction, civil recovery, or proceedings before administrative tribunals or other governmental authorities necessary to carry out this chapter, and to sue and be sued as a commission, without individual liability for acts of the commission within the scope of the powers conferred by this chapter; and

(g) Keep accurate records of all receipts and disbursements, which must be open to inspection and audit by the state auditor or its designee at least every five years and at any time by a duly appointed internal auditor by majority vote of the commission.

(2) The commission may:

(a) Employ and discharge, in its discretion, managers, secretaries, agents, attorneys, and employees, and engage the services of independent contractors as the commission deems necessary to fulfill duties, and to fix compensation. However, until assessment collections in section 15 of this act equal at least \$1,000,000, the commission must contract for staff support;

(b) Acquire and transfer personal and real property, establish offices, incur expenses, enter into contracts and cooperative agreements, and create such debt and other liabilities as may be reasonable to fulfill its duties under this chapter;

(c) Make necessary disbursements for routine operating expenses;

(d) Expend funds for all activities permitted under this chapter;

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(e) Cooperate with interested parties to fulfill its duties under this chapter;

(f) Serve as a liaison on behalf of the general cannabis producing and processing industries to the board and other interested parties, and not on behalf of any individual cannabis producer or cannabis producer/processor;

(g) Solicit, accept, retain, and expend any gifts, bequests, contributions, or grants from private persons or public agencies to carry out this chapter;

(h) Retain the services of private legal counsel, which is subject to the appointment and approval by the office of the state attorney general;

(i) Engage in appropriate activities and events to support commission activities authorized by this chapter;

(j) Participate in meetings, hearings, and other proceedings regarding cannabis, including, without limitation, the production, irrigation, manufacture, regulation, transportation, distribution, sale, or use of cannabis, including activities authorized under RCW 42.17A.635 and the reporting of such activities to the public disclosure commission;

(k) Obtain from the board, a list of the names and addresses of cannabis producers, cannabis processors, cannabis producer/processors, and cannabis retailers, and other available data from the state as requested by the commission relative to its duties under this chapter;

(l) Acquire, create, develop, and own intellectual property rights, licenses, and patents, and to collect royalties resulting from the sale or licensing of commission-funded research. However, results and recommendations from research conducted or funded by the commission must be available to all cannabis producers and cannabis producer/processors without charge, except for reasonable costs as the commission may determine;

(m) Speak on behalf of the Washington state government regarding agricultural production of cannabis in this state, subject to oversight of both the director and the director of the board;

(n) Possess cannabis products for the limited purposes of this chapter;

(o) Adopt rules to implement this chapter; and

(p) Exercise other powers and duties reasonably necessary to carry out this chapter.

NEW SECTION. Sec. 6. The department must serve as the commission's rules coordinator. Rules adopted by the commission must be approved by the director.

NEW SECTION. Sec. 7. (1) The commission is composed of the following 13 voting members:

(a) Eight cannabis producer or cannabis producer/processor members, two each from district 1, district 2, district 3, and district 4;

(b) One statewide at-large cannabis producer or cannabis producer/processor member from any district;

(c) One statewide tier one cannabis producer or cannabis producer/processor member from any district;

(d) One statewide tier two cannabis producer or cannabis producer/processor member from any district;

(e) One statewide tier three cannabis producer or cannabis producer/processor member from any district; and

(f) The director.

(2) Each member of the commission other than the director must:

(a) Be 21 years of age or older;

(b) Be a citizen and resident of this state;

(c) Directly hold or be named an owner in whole or majority part of an entity holding the relevant business license issued by the board. This license must not be suspended at the time of

nomination, election, or appointment and must not be suspended at any time during the member's term;

(d) Be an officer or employee of a corporation, firm, partnership, association, or cooperative engaged in the active production of cannabis within this state for a period of three years and have, during that period, derived a substantial portion of his or her income from cannabis production; and

(e) Continue to meet all membership qualifications throughout the member's term.

(3) Seven voting members constitute a quorum of the commission.

(4) Commission members must be reimbursed for expenses incurred in the performance of their duties under this chapter in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 8. (1) The director must select initial members to appoint to the commission from a pool of self-nominated cannabis producers or cannabis producer/processors from district 1, district 2, district 3, and district 4.

(2) The director has discretion in determining which members are appointed to the term limits in (a) through (c) of this subsection but, within 90 days after the effective date of this section, must appoint the initial commission members in accordance with the following:

(a) Four members must be appointed for a one-year term;

(b) Four members must be appointed for a two-year term; and

(c) Four members must be appointed for a three-year term.

(3) The commission must establish by rule the process by which commission members are elected and any vacancy appointments are made.

(4) When making initial and replacement appointments, the director must give priority to persons representing the diverse communities of the state to maintain a balanced representation of members where practicable.

NEW SECTION. Sec. 9. (1) On a fiscal year basis and before each fiscal year beginning, the commission must develop and submit, to the director, each of the following:

(a) A budget; and

(b) Any plans concerning, without limitation:

(i) The establishment, issuance, effectuation, or administration of commission governance issues; and

(ii) The initiation or establishment of any rule making.

(2) The director must timely review and approve or deny each submission in this section.

(3) The director must review the commission's education program to ensure its consistency with applicable state and federal laws.

NEW SECTION. Sec. 10. The commission must deposit moneys collected under this chapter and section 15 of this act in a separate account in the name of the commission in any bank that is a state depository. All expenditures and disbursements made from this account under this chapter may be made without the necessity of a specific legislative appropriation. None of the provisions of RCW 43.01.050 and 69.50.540 apply to this account or to the moneys received, collected, or expended under this chapter.

NEW SECTION. Sec. 11. The assessment imposed under section 15 of this act constitutes a personal debt of every person charged or who otherwise owes the assessment, and the assessment is due and payable to the commission.

NEW SECTION. Sec. 12. (1) Financial and commercial information and records submitted to the board or the commission to administer this chapter may be shared between the board and the commission. The information or records may also be used, if required, in any action or administrative hearing relative to this chapter.

(2) This section does not prohibit:

(a) The issuance of general statements based upon the reports of a cannabis producer or cannabis producer/processor under this chapter if the statements do not identify a specific licensee; or

(b) The publication by the director or the commission of the name of a cannabis producer or cannabis producer/processor violating this chapter and a statement of the violation.

NEW SECTION. Sec. 13. Obligations incurred by the commission and any other liabilities or claims against the commission must be enforced only against the assets of the commission and, except to the extent of such assets, no liability for the debts or actions of the commission exists against either the state of Washington or any subdivision or instrumentality thereof or against any member, employee, or agent of the commission or the state of Washington in his or her individual capacity. Except as otherwise provided in this chapter, neither the commission members, nor its employees, may be held individually responsible for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, person, or employee, except for their own individual acts of dishonesty or crime. No person or employee may be held individually responsible for any act or omission of any other commission members. The liability of the commission members shall be several and not joint, and no member is liable for the default of any other member. This provision confirms that commission members have been and continue to be, state officers or volunteers for purposes of RCW 4.92.075 and are entitled to the defenses, indemnifications, limitations of liability, and other protections and benefits of chapter 4.92 RCW.

NEW SECTION. Sec. 14. All costs incurred by the board and the department, including staff support and the adoption of rules or other actions necessary to carry out this chapter must be reimbursed by the commission. Costs incurred under this section must include initial estimates of work and line-item accounting of the costs incurred.

NEW SECTION. Sec. 15. A new section is added to chapter 69.50 RCW to read as follows:

(1) Pursuant to referendum under section 3 of this act, to provide for permanent funding of the Washington state cannabis commission, the commission must impose and collect an assessment from all active cannabis producers and cannabis producer/processors.

(2) The initial rate of assessment is 0.29 percent of all sales revenue conducted by a cannabis producer or cannabis producer/processor.

(3) The commission must adopt rules prescribing the time, place, and method for payment and collection of this assessment.

(4) After the initial assessment is approved, the commission may modify the assessment if submitted for approval by referendum. The requirements of assent or approval of a referendum under this subsection are met if:

(a) At least 60 percent by numbers of the participants in the referendum vote affirmatively to approve the modification; and

(b) At least 40 percent of the active cannabis producers and 40 percent of the active cannabis producer/processors have been represented in the referendum to determine assent or approval of the modification.

(5) Assessments collected under this section must be disbursed at least quarterly to the Washington state cannabis commission established in section 4 of this act for use in carrying out the purposes of chapter 15.--- RCW (the new chapter created in section 17 of this act).

(6) Until October 31, 2029, the assessments in this section do not apply to a cannabis producer or cannabis producer/processor licensed under the social equity program in this chapter.

Sec. 16. RCW 41.06.070 and 2023 c 148 s 3 are each amended to read as follows:

(1) The provisions of this chapter do not apply to:

(a) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, joint legislative audit and review committee, statute law committee, and any interim committee of the legislature;

(b) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;

(c) Officers, academic personnel, and employees of technical colleges;

(d) The officers of the Washington state patrol;

(e) Elective officers of the state;

(f) The chief executive officer of each agency;

(g) In the departments of employment security and social and health services, the director and the director's confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his or her confidential secretary, and his or her statutory assistant directors;

(h) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(i) All members of such boards, commissions, or committees;

(ii) If the members of the board, commission, or committee serve on a part-time basis and there is a statutory executive officer: The secretary of the board, commission, or committee; the chief executive officer of the board, commission, or committee; and the confidential secretary of the chief executive officer of the board, commission, or committee;

(iii) If the members of the board, commission, or committee serve on a full-time basis: The chief executive officer or administrative officer as designated by the board, commission, or committee; and a confidential secretary to the chair of the board, commission, or committee;

(iv) If all members of the board, commission, or committee serve ex officio: The chief executive officer; and the confidential secretary of such chief executive officer;

(i) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(j) Assistant attorneys general;

(k) Commissioned and enlisted personnel in the military service of the state;

(l) Inmate, student, and temporary employees, and part-time professional consultants, as defined by the director;

(m) Officers and employees of the Washington state fruit commission;

(n) Officers and employees of the Washington apple commission;

(o) Officers and employees of the Washington state dairy products commission;

(p) Officers and employees of the Washington tree fruit research commission;

(q) Officers and employees of the Washington state beef commission;

(r) Officers and employees of the Washington grain commission;

(s) Officers and employees of any commission formed under chapter 15.66 RCW;

(t) Officers and employees of agricultural commissions formed under chapter 15.65 RCW;

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(u) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(v) In each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors, and not more than three principal policy assistants who report directly to the agency head or deputy agency heads;

(w) Staff employed by the department of commerce to administer energy policy functions;

(x) The manager of the energy facility site evaluation council;

(y) A maximum of ten staff employed by the department of commerce to administer innovation and policy functions, including the three principal policy assistants exempted under (v) of this subsection;

(z) Staff employed by Washington State University to administer energy education, applied research, and technology transfer programs under RCW 43.21F.045 as provided in RCW 28B.30.900(5);

(aa) Officers and employees of the consolidated technology services agency created in RCW 43.105.006 that perform the following functions or duties: Systems integration; data center engineering and management; network systems engineering and management; information technology contracting; information technology customer relations management; and network and systems security;

(bb) The executive director of the Washington statewide reentry council; and

(cc) Officers and employees of the Washington state cannabis commission under chapter 15.--- RCW (the new chapter created in section 17 of this act).

(2) The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(a) Members of the governing board of each institution of higher education and related boards, all presidents, vice presidents, and their confidential secretaries, administrative, and personal assistants; deans, directors, and chairs; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of higher education; principal assistants to executive heads of major administrative or academic divisions; other managerial or professional employees in an institution or related board having substantial responsibility for directing or controlling program operations and accountable for allocation of resources and program results, or for the formulation of institutional policy, or for carrying out personnel administration or labor relations functions, legislative relations, public information, development, senior computer systems and network programming, or internal audits and investigations; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington;

(b) The governing board of each institution, and related boards, may also exempt from this chapter classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training as determined by the board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance,

or food and trade services may be exempted by the board under this provision;

(c) Printing craft employees in the department of printing at the University of Washington.

(3) In addition to the exemptions specifically provided by this chapter, the director may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the office of financial management stating the reasons for requesting such exemptions. The director shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the director determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, or is a senior expert in enterprise information technology infrastructure, engineering, or systems, the director shall grant the request. The total number of additional exemptions permitted under this subsection shall not exceed one percent of the number of employees in the classified service not including employees of institutions of higher education and related boards for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor.

(4) The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full-time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (1)(j) through (t), (cc), and (2) of this section, shall be determined by the director. Changes to the classification plan affecting exempt salaries must meet the same provisions for classified salary increases resulting from adjustments to the classification plan as outlined in RCW 41.06.152.

(5)(a) Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

(b) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

(c) A person occupying an exempt position who is terminated from the position for gross misconduct or malfeasance does not have the right of reversion to a classified position as provided for in this section.

(6)(a) Notwithstanding the provisions of subsection (5) of this section, a person cannot exercise the right of reversion to a classified position if the employee has been given written notice that they are the subject of an active workplace investigation in which the allegations being investigated, if founded, could result in a finding of gross misconduct or malfeasance. The right of reversion is suspended during the pendency of the investigation. For the purposes of this subsection, written notice includes notice sent by email to the employee's work email address.

(b) The office of financial management must adopt rules implementing this section.

NEW SECTION. Sec. 17. Sections 1 through 14 of this act constitute a new chapter in Title 15 RCW."

On page 1, line 2 of the title, after "commission;" strike the remainder of the title and insert "amending RCW 41.06.070; adding a new section to chapter 69.50 RCW; and adding a new chapter to Title 15 RCW."

MOTION

Senator Shewmake moved that the following amendment no. 580 by Senator Shewmake be adopted:

On page 4, after line 26, insert the following:

"(7) Before conducting the referendum provided for in this section, the director may require the petitioners to deposit an amount of money as the director deems necessary to defray the expenses of conducting the referendum. The director shall provide the petitioners an estimate of expenses that may be incurred to conduct a referendum before any service takes place. Petitioners shall deposit funds with the director to pay for expenses incurred by the department. The commission shall reimburse petitioners the amount paid to the department when funds become available. However, if for any reason the referendum process is discontinued, the petitioners shall reimburse the department for expenses incurred by the department up until the time the process is discontinued."

Senator Shewmake spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 580 by Senator Shewmake on page 4, after line 26 to striking amendment no. 579.

The motion by Senator Shewmake carried and amendment no. 580 was adopted by voice vote.

Senator Shewmake spoke in favor of adoption of the striking amendment as amended.

The President declared the question before the Senate to be the adoption of striking amendment no. 579 by Senator Shewmake as amended to Engrossed Substitute Senate Bill No. 5546.

The motion by Senator Shewmake carried and striking amendment no. 579 as amended was adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Second Engrossed Substitute Senate Bill No. 5546 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

Senators Rivers and Dozier spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5546.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5546 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5546, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

Senator Pedersen moved that, pursuant to Rule 18, Senate Bill No. 5595, an act relating to adopting the evergreen state as the state nickname, be made a special order of business to be considered at 4:55 p.m.

Senator Pedersen spoke on the motion.

The President declared the question before the Senate to be the motion by Senator Pedersen that Senate Bill No 5595 be made a special order of business to be considered at 4:55 p.m.

The motion by Senator Pedersen carried by voice vote.

With the President's encouragement, Senator Pedersen led the Senate in a rendition of *Happy Birthday* on the occasion of the birthday of Ms. Jeannie Gorrell, Senate Counsel.

MOTION

At 12:35 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease until 2:00 o'clock p.m.

Senator Hasegawa announced a meeting of the Democratic Caucus at 1:00 o'clock p.m.

Senator Warnick announced a meeting of the Republican Caucus at 1:00 o'clock p.m.

AFTERNOON SESSION

The Senate was called to order at 2:01 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 6092, by Senators Shewmake and Nguyen

Concerning disclosure of greenhouse gas emissions.

MOTIONS

On motion of Senator Shewmake, Second Substitute Senate Bill No. 6092 was substituted for Senate Bill No. 6092 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6092, by Senate Committee on Ways & Means (originally sponsored by Shewmake, and Nguyen)

Senator Shewmake moved that the following amendment no. 691 by Senator Shewmake be adopted:

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On page 2, line 14, after "to," strike "those" and insert "the final version of the rule"

On page 2, line 16, after "(b)" strike "By July 1, 2025" and insert "No later than 18 months after the adoption of the final rule referenced in (a) of this subsection"

On page 2, line 25, after "in" insert "the final version of the rule contemplated in"

On page 2, line 26, after "2022)" insert ", including special consideration for the following:

(b) The use of consistent reporting methodologies and definitions in order to facilitate compliance and avoid duplicative accounting"

Reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 3, line 6, after "with;" strike "and"

On page 3, line 8, after "law" insert "; and"

(iv) Determining the extent to which additional reporting requirements may cause reporting entities or downstream entities in the supply chain to incur financial costs"

Senators Shewmake and MacEwen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 691 by Senator Shewmake on page 2, line 14 to Second Substitute Senate Bill No. 6092.

The motion by Senator Shewmake carried and amendment no. 691 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 690 by Senator Fortunato be adopted:

On page 2, line 15, after ";" strike "and"

On page 2, line 16, after "(b)" insert "Research the impact of greenhouse gas emissions on agriculture in the state of Washington; and"

(c)"

Correct any internal references accordingly.

On page 3, line 6, after ";" strike "and"

On page 3, line 8, after "law" insert "; and"

(iv) Findings on the impact of greenhouse gas emissions on agriculture in Washington state"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Shewmake spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 690 by Senator Fortunato on page 2, line 15 to Second Substitute Senate Bill No. 6092.

The motion by Senator Fortunato did not carry and amendment no. 690 was not adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6092 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

Senator MacEwen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6092.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6092 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6092, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Braun: "Thank you Mr. President. I do believe this qualifies. So, I just want to share. I know my wife and I are very proud of our four children. But I want to share with you and the body this afternoon, our youngest daughter, who will be a graduating senior this spring at University of Washington in Computer Science. She spent the day back in Washington, D.C. interviewing with the Naval Nuclear Reactor Engineers including the Director of Naval Nuclear Reactors who is a four-star Admiral. And she just texted me that she was accepted into the Naval Nuclear Power Program."

[The Senate applauded the accomplishment of Ms. Olivia Braun.]

"Thank you Mr. President. I am obviously very proud of her. I spent thirty-one years in the Navy and in the submarine force. I remember back in I think around 2010 when we first welcomed women into the submarine force. At that time I had no idea one of my daughters would follow my footsteps and I couldn't be more proud and I am very proud to share with the body. Thank you Mr. President."

President Heck: "Congratulations Senator Braun."

SECOND READING

SENATE BILL NO. 5893, by Senators C. Wilson, Kuderer, Frame, Hasegawa, Nguyen, Nobles, Trudeau, and Wellman

Providing gate money to individuals releasing from custody prior to the expiration of their sentence.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5893 was substituted for Senate Bill No. 5893 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5893, by Committee on Ways & Means (originally sponsored by Senators

C. Wilson, Kuderer, Frame, Hasegawa, Nguyen, Nobles, Trudeau, and Wellman)

Revised for second substitute: Providing gate money to incarcerated individuals at the department of corrections.

On motion of Senator Wilson, C., the rules were suspended, Second Substitute Senate Bill No. 5893 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senator Boehnke spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5893.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5893 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, King, McCune, Padden, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5893, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5980, by Senators Keiser, Conway, Liias, Van De Wege, Hasegawa, Nobles, Salomon, and Valdez

Concerning the timeline for issuing a citation for a violation of the Washington industrial safety and health act.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5980 was substituted for Senate Bill No. 5980 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5980, by Senate Committee on Labor & Commerce (originally sponsored by Keiser, Conway, Liias, Van De Wege, Hasegawa, Nobles, Salomon, and Valdez)

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5980 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5980.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5980 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5980, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5903, by Senators Wilson, C., Nobles, Frame, Hunt, Trudeau, and Wellman

Concerning representation in the educator preparation act.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5903 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5903.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5903 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SENATE BILL NO. 5903, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5850, by Senators Braun, Wellman, Frame, Hasegawa, Hunt, Kuderer, Mullet, Randall, Torres, Valdez, and Wilson, C.

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Supporting students who are chronically absent and at risk for not graduating high school.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5850 was substituted for Senate Bill No. 5850 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5850, by Senate Committee on Ways & Means (originally sponsored by Braun, Wellman, Frame, Hasegawa, Hunt, Kuderer, Mullet, Randall, Torres, Valdez, and Wilson, C.)

Senator Wellman moved that the following amendment no. 654 by Senator Wellman be adopted:

On page 1, line 9, after "must" insert "work in collaboration with the office of the superintendent of public instruction to"

On page 2, line 2, after "behavioral" insert "and physical"

Beginning on page 2, after line 6, strike all of sections 2 and 3 and insert the following:

"Sec. 2. RCW 28A.175.025 and 2007 c 408 s 2 are each amended to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the office of the superintendent of public instruction shall create a grant program and award grants to local partnerships of schools, families, and communities ~~((to begin the phase in of))~~ for a statewide comprehensive dropout prevention, intervention, and retrieval system including supports for students who are chronically absent. This program shall be known as the building bridges program.

~~((+))~~ (2) For purposes of RCW 28A.175.025 through 28A.175.075, a "building bridges program" means a local partnership of schools, families, and communities that either provides the supports under subsection (3) of this section or provides all of the following programs or activities under this subsection, or both:

(a) A system that identifies individual students at risk of dropping out from middle through high school based on local predictive data, including state assessment data starting in the fourth grade, and provides timely interventions for such students and for dropouts ~~((including a plan for educational success as already required by the student learning plan as defined under RCW 28A.655.064))~~. Students identified shall include foster care youth, youth involved in the juvenile justice system, and students receiving special education services under chapter 28A.155 RCW;

(b) Coaches or mentors for students as necessary;

(c) Staff responsible for coordination of community partners that provide a seamless continuum of academic and nonacademic support in schools and communities;

(d) Retrieval or reentry activities; and

(e) Alternative educational programming, including, but not limited to, career and technical education exploratory and preparatory programs and online learning opportunities.

~~((2))~~ ~~One of the grants awarded under this section shall be for a two year demonstration project focusing on providing fifth through twelfth grade students with a program that utilizes technology and is integrated with state standards, basic academics, cross-cultural exposures, and age appropriate preemployment training. The project shall:~~

(a) Establish programs in two western Washington and one eastern Washington urban areas;

~~(b) Identify at risk students in each of the distinct communities and populations and implement strategies to close the achievement gap;~~

~~(c) Collect and report data on participant characteristics and outcomes of the project, including the characteristics and outcomes specified under RCW 28A.175.035(1)(c); and~~

~~(d) Submit a report to the legislature by December 1, 2009))~~

(3) When community-based organizations, tribes, and community and technical colleges are awarded grants to support students who are chronically absent under this section, grant funds may also be used for the following strategies and supports:

(a) Proactive engagement with all families about the impact of attendance on student outcomes;

(b) Clear, supportive, and solution-oriented communication with families and caregivers of students who are chronically absent;

(c) Visits to families of students who are chronically absent;

(d) Academic, systemic, and economic supports for the families of students who are chronically absent, including removing barriers to students attending school as well as tutoring and mentoring students who are reengaging in the classroom;

(e) Connecting students to behavioral and physical health supports; and

(f) Incentives and celebrations of students' improved attendance and engagement in the classroom.

(4) For the purposes of this section, "students who are chronically absent" has the same meaning as in section 1 of this act.

Sec. 3. RCW 28A.175.035 and 2011 c 288 s 9 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall:

(a) Identify criteria for grants and evaluate proposals for funding in consultation with the workforce training and education coordinating board;

(b) Develop and monitor requirements for grant recipients to:

(i) Identify students who ~~((both fail the Washington assessment of student learning))~~ score below basic on the statewide student assessment as defined in RCW 28A.655.230 and drop out of school;

(ii) Identify their own strengths and gaps in services provided to youth;

(iii) Set their own local goals for program outcomes;

(iv) Use research-based and emerging best practices that lead to positive outcomes in implementing the building bridges program; and

(v) Coordinate an outreach campaign to bring public and private organizations together and to provide information about the building bridges program to the local community;

(c) In setting the requirements under (b) of this subsection, encourage creativity and provide for flexibility in implementing the local building bridges program;

(d) Identify and disseminate successful practices; and

(e) Develop requirements for grant recipients to collect and report data, including, but not limited to:

(i) The number of and demographics of students served including, but not limited to, information regarding a student's race and ethnicity, a student's household income, a student's housing status, whether a student is a foster youth or youth involved in the juvenile justice system, whether a student is disabled, and the primary language spoken at a student's home;

(ii) ~~((Washington assessment of student learning))~~ Statewide student assessment scores;

(iii) Dropout rates;

(iv) On-time graduation rates;

(v) Extended graduation rates;

- (vi) Credentials obtained;
- (vii) Absenteeism rates;
- (viii) Truancy rates; and
- (ix) Credit retrieval;
- ~~(f) Contract with a third party to evaluate the infrastructure and implementation of the partnership including the leveraging of outside resources that relate to the goal of the partnership. The third party contractor shall also evaluate the performance and effectiveness of the partnerships relative to the type of entity, as identified in RCW 28A.175.045, serving as the lead agency for the partnership; and~~

~~(g) Report to the legislature by December 1, 2008).~~

(2) The office of the superintendent of public instruction may require the recipient of grant funding under RCW 28A.175.025 to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(3) In performing its duties under this section, the office of the superintendent of public instruction is encouraged to consult with the ~~((work group identified))~~ graduation: a team effort partnership advisory committee established in RCW 28A.175.075.

~~((3))~~ (4) In selecting recipients for grant funds appropriated under RCW 28A.175.135, the office of the superintendent of public instruction shall use a streamlined and expedited application and review process for those programs that have already proven to be successful in dropout prevention.

Sec. 4. RCW 28A.175.105 and 2021 c 164 s 7 are each amended to read as follows:

The definitions in this section apply throughout RCW 28A.175.100 through 28A.175.110 unless the context clearly requires otherwise:

(1) "Dropout reengagement program" means an educational program that offers at least the following instruction and services:

(a) Academic instruction, including but not limited to preparation to earn a high school equivalency certificate as provided in RCW 28B.50.536 in accordance with rules adopted under RCW 28A.305.190, academic skills instruction, and college and work readiness preparation, that generates credits that can be applied to a high school diploma from the student's school district or from a community or technical college under RCW 28B.50.535 and has the goal of enabling the student to obtain the academic and work readiness skills necessary for employment or postsecondary study. A dropout reengagement program is not required to offer instruction in only those subject areas where a student is deficient in accumulated credits. Academic instruction must be provided by teachers certified by the Washington professional educator standards board or by instructors employed by a community or technical college whose required credentials are established by the college;

(b) Case management, academic and career counseling, and assistance with accessing services and resources that support at-risk youth and reduce barriers to educational success, such as:

(i) Academic related supports, such as covering test fees, calculators, and laboratory and other school supplies;

(ii) Nonacademic supports, such as adequate and appropriate clothing; adequate and reliable access to food and nutrition; and transportation, including bus passes, gas vouchers, and subsidized parking; and

(iii) Connecting students to behavioral and physical health supports; and

(c) If the program provider is a community or technical college, the opportunity for qualified students to enroll in college courses that lead to a postsecondary degree or certificate. The college may not charge an eligible student tuition for such enrollment.

(2) "Eligible student" means a student who:

(a) Is at least sixteen but less than twenty-one years of age at the beginning of the school year;

(b) Is not accumulating sufficient credits toward a high school diploma to reasonably complete a high school diploma from a public school before the age of twenty-one or is recommended for the program by case managers from the department of social and health services or the juvenile justice system; and

(c) Is enrolled or enrolls in the school district in which the student resides, or is enrolled or enrolls in an institutional education program as defined in RCW 28A.190.005 or a nonresident school district under RCW 28A.225.220 through 28A.225.230.

(3) "Full-time equivalent eligible student" means an eligible student whose enrollment and attendance meet criteria adopted by the office of the superintendent of public instruction specifically for dropout reengagement programs. The criteria shall be:

(a) Based on the community or technical college credits generated by the student if the program provider is a community or technical college; and

(b) Based on a minimum amount of planned programming or instruction and minimum attendance by the student rather than hours of seat time if the program provider is a community-based organization."

On page 1, line 2 of the title, after "school;" insert "amending RCW 28A.175.025, 28A.175.035, and 28A.175.105; and"

On page 1, beginning on line 3 of the title, after "RCW" strike all material through "dates" on line 4

Senators Wellman and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 654 by Senator Wellman on page 1, line 9 to Substitute Senate Bill No. 5850.

The motion by Senator Wellman carried and amendment no. 654 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 5850 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Wellman and Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5850.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5850 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5850, having received the constitutional majority, was declared passed.

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There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5344, by Senators Schoesler, Dozier, Braun, Wagoner, Warnick, MacEwen, and Torres

Establishing a public school revolving fund.

The measure was read the second time.

MOTION

Senator Mullet moved that the following striking amendment no. 583 by Senator Mullet be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that school districts may have school facilities with significant building systems deficiencies that are not adequately served by a large construction project program like the school construction assistance program or a small construction project program like the small school district and state-tribal education compact school modernization program. Therefore, the legislature finds it would be beneficial to local tax payers to establish a low interest loan program that would allow school districts to fund midsize projects through existing resources rather than paying all project costs upfront.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.525 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in coordination with the office of the state treasurer, must administer a modernization loan program for school districts and state-tribal education compact schools with significant building system deficiencies. The office of the superintendent of public instruction and the office of the state treasurer may adopt rules to implement this section.

(2) The office of the superintendent of public instruction must assist school districts and state-tribal education compact schools interested in seeking modernization loans by providing technical assistance and planning grants. The superintendent of public instruction may prioritize planning grants for school districts and state-tribal education compact schools with the most serious building deficiencies and the most limited financial capacity. Planning grants may not exceed \$75,000 per applicant.

(3)(a) An advisory committee with the following membership must assist the office of the superintendent of public instruction in designing the loan application process, developing the prioritization criteria, and evaluating the grant applications:

(i) Four members of the legislature of the state of Washington, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives; and

(ii) Three members who have experience in financing and managing school facilities, as appointed by the superintendent of public instruction.

(b) Advisory committee members may not be involved in developing projects or applying for loans funded under this section.

(c) The office of the superintendent of public instruction must provide administrative and staff support to the advisory committee.

(4) The superintendent of public instruction must submit a list of modernization projects, as prioritized by the advisory committee, to the governor and legislature by January 8, 2025, and every November 1st thereafter. The list must include: (a) A description of the project; (b) the proposed state funding level, not to exceed \$6,000,000 or 10 percent of the amount appropriated for this purpose, whichever is greater; (c) estimated total project costs; and (d) local funding resources used as repayment. Loan funds may be awarded only after the legislature approves the list of projects.

(5) The office of the state treasurer must administer the loans approved by the legislature under subsection (4) of this section.

(a) Modernization loans provided pursuant to this section may not exceed a one percent interest rate or a period of 20 years.

(b) Funds collected as repayment of loans issued under this section must be deposited in the common school construction fund.

(6) For projects in this section that are also eligible for funding through the school construction assistance program, the office of the superintendent of public instruction must expedite and streamline the administrative requirements, timelines, and matching requirements for the funds provided under this section to be used promptly. Funds provided under this section plus state funds provided in the school construction assistance program grant must not exceed total project costs minus available local resources."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "establishing a school modernization loan program; adding a new section to chapter 28A.525 RCW; and creating a new section."

Senator Mullet spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 583 by Senator Mullet to Senate Bill No. 5344.

The motion by Senator Mullet carried and striking amendment no. 583 was adopted by voice vote.

MOTION

On motion of Senator Schoesler, the rules were suspended, Engrossed Senate Bill No. 5344 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

ENGROSSED SENATE BILL NO. 5344, by Senators Schoesler, Dozier, Braun, Wagoner, Warnick, MacEwen, and Torres

Revised for engrossed: Establishing a school modernization loan program.

Senators Schoesler and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5344.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5344 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen,

Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5344, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5652, by Senate Committee on Transportation (originally sponsored by Lovick, Dozier, Hawkins, Hunt, Saldaña, Short, and Stanford)

Providing compensation for tow truck operators for keeping the public roadways clear.

The bill was read on Third Reading.

Senators Lovick, King and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5652.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5652 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5652, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6215, by Senators Schoesler, Robinson, and Mullet

Improving tax and revenue laws.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 6215 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Nguyen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6215.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6215 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 6215, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6242, by Senators Mullet and Lovick

Concerning law enforcement training.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 6242 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6242.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6242 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

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SENATE BILL NO. 6242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6167, by Senator Hasegawa

Concerning local government procurement rules.

The measure was read the second time.

MOTION

Senator Hasegawa moved that the following amendment no. 598 by Senator Hasegawa be adopted:

On page 1, line 17, after "(2)" strike "~~((Any)) (a) Until July 1, 2026, any~~" and insert "(a) Any"

On page 2, beginning on line 2, after "contract." strike all material through "subsection, a" on line 5 and insert the following:

"~~((However, a)) (b) A~~"

On page 4, line 11, after "(1)" strike "~~((Any)) (a) Until July 1, 2026, any~~" and insert "(a) Any"

On page 4, beginning on line 24, after "(b)" strike all material through "beginning" on line 32 and insert "Beginning"

On page 12, line 1, after "(1)" strike "~~((All)) (a) Until July 1, 2026, all~~" and insert "(a) All"

On page 12, beginning on line 6, after "bidding." strike all material through "bidding." on line 8

On page 15, line 25, after "(b)" strike "~~((Contracting)) (i) Until July 1, 2026, contracting~~" and insert "Contracting"

On page 15, beginning on line 31, after "project" strike all material through "\$30,000" on line 35

Senators Hasegawa and Torres spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 598 by Senator Hasegawa on page 1, line 17 to Senate Bill No. 6167.

The motion by Senator Hasegawa carried and amendment no. 598 was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Senate Bill No. 6167 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6167.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6167 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers,

Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 6167, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6247, by Senators Hunt, Randall, Kuderer, Nobles, Saldaña, Valdez, and Wilson, C.

Concerning public employees' retirement system plan 2 service credit for officers of labor organizations.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 6247 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6247.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6247 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 6247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5955, by Senators Keiser, Hasegawa, Kauffman, Nguyen, and Wilson, C.

Mitigating harm and improving equity in large port districts.

MOTIONS

On motion of Senator Keiser, Second Substitute Senate Bill No. 5955 was substituted for Senate Bill No. 5955 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5955, by Senate Committee on Ways & Means (originally sponsored by Keiser, Hasegawa, Kauffman, Nguyen, and Wilson, C.)

Senator Keiser moved that the following striking amendment no. 639 by Senator Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Airports are an important part of Washington's economy. Airports enable travel for business or recreation, allow for the transportation of cargo, and provide thousands of jobs for the people of the state.

For those living near an airport, there can also be adverse impacts from aircraft operations. In King county, the majority of people identifying as Black, Hispanic, Native Hawaiian, or Pacific Islander live within 10 miles of Seattle-Tacoma international airport.

Large port districts operating commercial service airports that administer aircraft noise mitigation programming have expressed a desire and intention to repair or replace aircraft noise mitigation equipment that has been found to be no longer working as intended or is reported to have caused additional hazards or structural damage to the property. Large port districts are restricted to use local, nonairport resources to address such equipment due to limitations imposed by federal regulations.

Ensuring the efficacy of existing noise mitigation equipment, and the repair or replacement of equipment that has caused hazards or structural damage to the property serves a fundamental governmental purpose and thereby provides wider public benefit to the citizens of Washington.

The legislature intends to partner with port districts operating large airports in the state and impacted areas to provide resources to repair or replace noise mitigation equipment that has been found to be no longer working as intended, or is found to have caused additional hazards or structural damage to the property, and to address the impacts of aircraft operations that are faced by impacted areas.

With this partnership and resources large airports can be more responsive, more effectively and quickly address relevant noise mitigation equipment, and help uphold the values of respect, antiracism, equity, and stewardship.

Sec. 2. RCW 53.54.020 and 2020 c 105 s 2 are each amended to read as follows:

(1) Prior to initiating programs as authorized in this chapter, the port commission shall undertake the investigation and monitoring of aircraft noise impact to determine the nature and extent of the impact. The port commission shall adopt a program of noise impact abatement based upon the investigations and as amended periodically to conform to needs demonstrated by the monitoring programs. In no case may the port district undertake any of the programs prescribed in this chapter in an area that is:

(a) More than ~~((ten))~~ 10 miles beyond the paved north end of any runway;

(b) More than ~~((thirteen))~~ 13 miles beyond the paved south end of any runway; or

(c) More than two miles from the centerline of any runway ~~((ten))~~ 10 miles north and ~~((thirteen))~~ 13 miles south from the paved end of such runway.

(2) ~~((Such areas as determined in this section,))~~ Areas within which a port district may undertake a program authorized in this chapter shall be known as "impacted areas."

Sec. 3. RCW 53.54.030 and 2021 c 65 s 3 are each amended to read as follows:

(1) For the purposes of this chapter, in developing a remedial program, the port commission may take steps as appropriate including, but not limited to, one or more of the following programs:

(a) Acquisition of property or property rights within the impacted area, which shall be deemed necessary to accomplish a port purpose. The port district may purchase such property or property rights by time payment notwithstanding the time limitations provided for in RCW 53.08.010. The port district may mortgage or otherwise pledge any such properties acquired to secure such transactions. The port district may assume any outstanding mortgages.

(b) Transaction assistance programs, including assistance with real estate fees and mortgage assistance, and other neighborhood remedial programs as compensation for impacts due to aircraft noise and noise associated conditions. Any such programs shall be in connection with properties located within an impacted area and shall be provided upon terms and conditions as the port district shall determine appropriate.

(c) Programs of soundproofing structures located within an impacted area. Such programs may be executed without regard to the ownership, provided the owner waives damages and conveys an easement for the operation of aircraft, and for noise and noise associated conditions therewith, to the port district.

(d) Mortgage insurance of private owners of lands or improvements within such noise impacted area where such private owners are unable to obtain mortgage insurance solely because of noise impact. In this regard, the port district may establish reasonable regulations and may impose reasonable conditions and charges upon the granting of such mortgage insurance. Such mortgage insurance fees and charges shall at no time exceed fees established for federal mortgage insurance programs for like service.

(e) Management of all lands, easements, or development rights acquired, including but not limited to the following:

(i) Rental of any or all lands or structures acquired;

(ii) Redevelopment of any such lands for any economic use consistent with airport operations, local zoning and the state environmental policy;

(iii) Sale of such properties for cash or for time payment and subjection of such property to mortgage or other security transaction: PROVIDED, That any such sale shall reserve to the port district by covenant an unconditional right of easement for the operation of all aircraft and for all noise or noise conditions associated therewith.

(2)(a) An individual property may be provided benefits by the port district under each of the programs described in subsection (1) of this section. However, an individual property may not be provided benefits under any one of these programs more than once, unless the property:

(i) Is subjected to increased aircraft noise or differing aircraft noise impacts that would have afforded different levels of mitigation, even if the property owner had waived all damages and conveyed a full and unrestricted easement; or

(ii) Contains a soundproofing installation, structure, or other type of sound mitigation equipment product or benefit previously installed pursuant to the remedial program under this chapter by the port district that is determined through inspection to be in need of a repair or replacement.

(b) Port districts choosing to exercise the authority under (a)(ii) of this subsection are required to conduct inspections of homes where mitigation improvements are no longer working as intended. In those properties, port districts ~~((must work with a state certified building inspector))~~ may contract with building inspectors or other professionals with experience in sound testing, or window and door installs, or port districts may enter into an interlocal agreement under chapter 39.34 RCW with the county in which the port is located to contract for the provision of building inspectors or professionals with experience in sound

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testing, or window and door installs to determine whether package failure resulted in additional hazards or structural damage to the property. Any expense incurred by the county related to contracting of a building inspector or professional under this subsection (2)(b) must be reimbursed by the port district. A port district may use funds from the grant program created under section 5 of this act to reimburse the county for expenses incurred for the contracting of a building inspector or other professional.

(c) Port districts choosing to exercise their authority under (b) of this subsection may apply to the grant program created under section 5 of this act for resources to facilitate the assessment and inspection of noise mitigation equipment that is no longer working as intended, or is reported to have caused additional hazards or structural damage to the property.

(d) If a building inspector or other professional contracted pursuant to (c) of this subsection identifies that a property's noise mitigation equipment is no longer working as intended, then the associated port district must apply to the grant program created under section 5 of this act for resources to repair or replace existing noise mitigation equipment. If an inspection confirms that installation of noise mitigation equipment resulted in additional hazards or structural damage to the property, then a port district must apply to the grant program under section 5 of this act for resources to address those hazards or damages.

(3) A property shall be considered within the impacted area if any part thereof is within the impacted area.

Sec. 4. RCW 53.54.040 and 1974 ex.s. c 121 s 4 are each amended to read as follows:

A port district may establish a fund to be utilized in effectuating the intent of this chapter. The port district may finance such fund by: The proceeds of any grants or loans made by federal agencies; the proceeds of any grants made by the department of commerce pursuant to section 5 of this act; rentals, charges, and other revenues as may be generated by programs authorized by this chapter, airport revenues; and revenue bonds based upon such revenues. The port district may also finance such fund, as necessary, in whole or in part, with the proceeds of general obligation bond issues of not more than one-eighth of one percent of the value of taxable property in the port district: PROVIDED, That any such bond issue shall be in addition to bonds authorized by RCW 53.36.030: PROVIDED FURTHER, That any such general obligation bond issue may be subject to referendum by petition as provided by county charter, the same as if it were a county ordinance.

NEW SECTION. Sec. 5. A new section is added to chapter 43.330 RCW to read as follows:

(1) The department of commerce shall administer a grant program to provide assistance to qualifying port districts for expenses related to noise mitigation pursuant to RCW 53.54.030(2) (c) and (d).

(2) The department of commerce shall prepare and publish an annual report on its website detailing grants made under this section. The report must include: (a) The number of inspectors or other professionals contracted; (b) the number of inspections conducted; (c) the number of properties provided with new or improved noise mitigation equipment subsequent to an inspection; (d) the number of properties receiving funds to address hazards or damages proven by an inspection to be associated with the installation of noise mitigation equipment; and (e) the number of inspected properties where no repairs occurred and the reasons why.

(3) A qualifying port district receiving funds under this section may commit to matching, from port district funds not subject to federal airport revenue use requirements, at least half of the total funding provided by the legislature under section 6 of this act for

the purposes of noise mitigation under RCW 53.54.030(2) (c) and (d) each fiscal year.

(4) For the purposes of this section, "qualifying port district" means a port district authorized to undertake programs for the abatement of aircraft noise under RCW 53.54.010.

NEW SECTION. Sec. 6. A new section is added to chapter 53.20 RCW to read as follows:

(1) The port district equity fund is created in the custody of the state treasurer. Moneys to the account may consist of appropriations by the legislature, contributions from county and local governments and port districts, and private contributions. Expenditures from the account may only be used to make grants to port districts under section 5 of this act. Only the director of the department of commerce or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) The department of commerce shall provide management services for the port district equity fund. The department shall establish procedures for fund management. The department shall develop the grant criteria, monitor the grant program, and select grant recipients.

(3) The department of commerce shall prepare and publish an annual report on its website detailing grants made under this section, the uses to which the grants have been put, and the benefits that have been realized.

NEW SECTION. Sec. 7. A new section is added to chapter 43.131 RCW to read as follows:

The grant program providing assistance to qualifying port districts for expenses related to noise mitigation under section 5 of this act shall be terminated July 1, 2029.

NEW SECTION. Sec. 8. A new section is added to chapter 43.131 RCW to read as follows:

In addition to the requirements of this chapter, the joint legislative audit and review committee must include in its review of the grant program under section 5 of this act the number of homes remediated since the effective date of this section and the number of homes remaining in need of noise mitigation remediation.

NEW SECTION. Sec. 9. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective July 1, 2030:

(1) RCW 43.330.--- and 2024 c . . . s 5 (section 5 of this act); and

(2) RCW 53.20.--- and 2024 c . . . s 6 (section 6 of this act)."

On page 1, line 2 of the title, after "districts;" strike the remainder of the title and insert "amending RCW 53.54.020, 53.54.030, and 53.54.040; adding a new section to chapter 43.330 RCW; adding a new section to chapter 53.20 RCW; adding new sections to chapter 43.131 RCW; creating a new section; and providing an effective date."

Senators Keiser and Torres spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 639 by Senator Keiser to Second Substitute Senate Bill No. 5955.

The motion by Senator Keiser carried and striking amendment no. 639 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5955 was advanced

to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5955.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5955 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5955, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5915, by Senators Torres, Schoesler, Wagoner, and Warnick

Extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, Senate Bill No. 5915 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5915.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5915 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Keiser, King, Liias, Lovick, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Dhingra, Hasegawa, Kauffman, Kuderer, Lovelett, Nguyen, Nobles, Pedersen, Randall, Trudeau, Valdez, Wellman and Wilson, C.

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SENATE BILL NO. 5915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5906, by Senators Wilson, L., Dozier, Gildon, Holy, Mullet, Torres, Warnick, and Wilson, J.

Implementing a statewide drug overdose prevention and education campaign.

The measure was read the second time.

MOTION

Senator Liias moved that the following amendment no. 685 by Senator Liias be adopted:

On page 2, line 17, after "(4)" insert "The department shall conduct a feasibility study regarding the creation of a drug overdose prevention hotline. By December 31, 2025, the department shall provide a report detailing the results of the feasibility study and recommendations to the appropriate committees of the legislature.

(5)"

Senators Liias and Wilson, L. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 685 by Senator Liias on page 2, line 17 to Senate Bill No. 5906.

The motion by Senator Liias carried and amendment no. 685 was adopted by voice vote.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Engrossed Senate Bill No. 5906 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5906.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5906 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5906, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

THIRTY SEVENTH DAY, FEBRUARY 13, 2024

SENATE BILL NO. 6030, by Senators Braun, Kuderer, Liias, Mullet, Wellman, and Wilson, J.

Amending the county population threshold for counties that may exempt from taxation the value of accessory dwelling units to incentivize rental to low-income households.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 6030 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6030.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6030 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 6030, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6010, by Senators Shewmake and Liias

Streamlining certain decisions pertaining to the development or extension of a trail or path from the state environmental policy act.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 6010 was substituted for Senate Bill No. 6010 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6010, by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Shewmake, and Liias)

On motion of Senator Shewmake, the rules were suspended, Substitute Senate Bill No. 6010 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6010.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6010 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6010, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6302, by Senators Liias, King, Boehnke, and Nobles

Creating a Washington state supply chain competitiveness infrastructure program.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6302 was substituted for Senate Bill No. 6302 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6302, by Senate Committee on Transportation (originally sponsored by Liias, King, Boehnke, and Nobles)

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 6302 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6302.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6302 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6302, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6229, by Senators Shewmake, Cleveland, King, Holy, Liias, Lovick, and Nobles

Modifying match requirements for the green transportation capital grant program.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 692 by Senator Fortunato be adopted:

On page 2, beginning on line 22, after "funding" strike all material through "department" on line 24 and insert "for that project that is at least equal to 20 percent of the total cost of the project. Rural and small urban transit agencies, as defined in the department's "Summary of Public Transportation" report, are exempt from the 20 percent match threshold"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 692 by Senator Fortunato on page 2, line 22 to Senate Bill No. 6229.

The motion by Senator Fortunato did not carry and amendment no. 692 was not adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Senate Bill No. 6229 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6229.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6229 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 6229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6198, by Senators Holy, Conway, Van De Wege, Fortunato, Kuderer, Mullet, Nobles, and Valdez

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Concerning employees of the law enforcement officers' and firefighters' plan 2 retirement board.

MOTIONS

On motion of Senator Holy, Substitute Senate Bill No. 6198 was substituted for Senate Bill No. 6198 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6198, by Senate Committee on Ways & Means (originally sponsored by Holy, Conway, Van De Wege, Fortunato, Kuderer, Mullet, Nobles, and Valdez)

On motion of Senator Holy, the rules were suspended, Substitute Senate Bill No. 6198 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6198.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6198 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6198, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6154, by Senators Torres and Mullet; by request of Secretary of State

Updating process service requirements for corporations in Washington state.

MOTIONS

On motion of Senator Torres, Substitute Senate Bill No. 6154 was substituted for Senate Bill No. 6154 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6154, by Committee on Law & Justice (originally sponsored by Senators Torres and Mullet; by request of Secretary of State)

Revised for substitute: Updating process service requirements in Washington state for business entities and motorists.

On motion of Senator Torres, the rules were suspended, Substitute Senate Bill No. 6154 was advanced to third reading,

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the second reading considered the third and the bill was placed on final passage.

Senators Torres and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6154.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6154 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 6154, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6087, by Senators King, Lovick, and Mullet

Concerning the fire service training account.

The measure was read the second time.

MOTION

Senator Robinson moved that the following amendment no. 582 by Senator Robinson be adopted:

On page 1, line 14, after "~~Twenty~~" strike "Twenty-five" and insert "Twenty-two"

Senator Robinson spoke in favor of adoption of the amendment.

Senator King spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 582 by Senator Robinson on page 1, line 14 to Senate Bill No. 6087.

The motion by Senator Robinson carried and amendment no. 582 was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Senate Bill No. 6087 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6087.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6087 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 6087, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

On motion of Senator Pedersen and without objection, the Senate immediately considered Senate Bill No. 5595, the measure's status as a special order of business later in the day notwithstanding.

SECOND READING

SENATE BILL NO. 5595, by Senators Wilson, J., Rolfes, Holy, Wilson, L., Lovick, Nguyen, Randall, Wilson, C., Valdez, Kuderer, Torres, Pedersen, Dhingra, Lovelett, Padden, Keiser, Muzzall, Short, Robinson, Schoesler, Dozier, Wagoner, Billig, Van De Wege, Warnick, Fortunato, Rivers, Braun, King, Gildon, Boehnke, McCune, Shewmake, Saldaña, Cleveland, Trudeau, Frame, Conway, Hasegawa, and Hunt

Adopting the evergreen state as the state nickname.

The measure was read the second time.

MOTION

On motion of Senator Wilson, J., the rules were suspended, Senate Bill No. 5595 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5595.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5595 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Liias and Stanford

SENATE BILL NO. 5595, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Pedersen, House Bill No. 1895 and House Bill No. 1950 were placed on the day's Second Reading Calendar.

At 4:14 p.m., on motion of Senator Pedersen, the Senate adjourned until 1:30 p.m. Wednesday, February 14, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY EIGHTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Wednesday, February 14, 2024

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 13, 2024

MR. PRESIDENT:

The House has passed:

SECOND ENGROSSED SUBSTITUTE

- HOUSE BILL NO. 1282,
- SECOND SUBSTITUTE HOUSE BILL NO. 1551,
- SUBSTITUTE HOUSE BILL NO. 1870,
- SUBSTITUTE HOUSE BILL NO. 1919,
- SUBSTITUTE HOUSE BILL NO. 1996,
- SECOND SUBSTITUTE HOUSE BILL NO. 2001,
- SUBSTITUTE HOUSE BILL NO. 2007,
- SUBSTITUTE HOUSE BILL NO. 2009,
- HOUSE BILL NO. 2023,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2079,
- SECOND SUBSTITUTE HOUSE BILL NO. 2124,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153,
- ENGROSSED SECOND SUBSTITUTE
- HOUSE BILL NO. 2160,
- SUBSTITUTE HOUSE BILL NO. 2180,
- SUBSTITUTE HOUSE BILL NO. 2195,
- HOUSE BILL NO. 2210,
- HOUSE BILL NO. 2213,
- SUBSTITUTE HOUSE BILL NO. 2230,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236,
- HOUSE BILL NO. 2257,
- SUBSTITUTE HOUSE BILL NO. 2296,
- SUBSTITUTE HOUSE BILL NO. 2329,
- SUBSTITUTE HOUSE BILL NO. 2368,
- HOUSE BILL NO. 2375,
- SUBSTITUTE HOUSE BILL NO. 2382,
- SUBSTITUTE HOUSE BILL NO. 2389,
- SUBSTITUTE HOUSE BILL NO. 2411,
- HOUSE BILL NO. 2440,
- HOUSE BILL NO. 2481,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 13, 2024

MR. PRESIDENT:

The House has passed:

- ENGROSSED HOUSE BILL NO. 1468,
- ENGROSSED FOURTH SUBSTITUTE
- HOUSE BILL NO. 1479,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 13, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE

- HOUSE BILL NO. 1899,
 - ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906,
 - ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114,
- and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1052 by Representatives Ramel, Lekanoff, Bateman, Reed, Pollet, Walen, Doglio and Kloba

AN ACT Relating to providing a property tax exemption for qualified real and personal property owned or used by a nonprofit entity in providing qualified housing funded in whole or part through a local real estate excise tax; amending RCW 84.36.560; and creating a new section.

Referred to Committee on Housing.

SHB 1104 by House Committee on Transportation (originally sponsored by Representatives Goodman, Wylie, Davis and Ormsby)

AN ACT Relating to eligibility and requirements for deferred prosecutions; amending RCW 10.05.010, 10.05.015, 10.05.020, 10.05.030, 10.05.040, 10.05.050, 10.05.060, 10.05.090, 10.05.100, 10.05.120, 10.05.140, 10.05.150, 10.05.155, 10.05.170, and 9.94A.525; adding a new section to chapter 10.05 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

2SHB 1205 by House Committee on Appropriations (originally sponsored by Representatives Taylor, Reed and Senn)

AN ACT Relating to responsibility for providing service by publication of a summons or notice in dependency and termination of parental rights cases; amending RCW 13.34.080; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

3SHB 1228 by House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Ybarra, Thai, Simmons, Reeves, Reed, Orwall, Ormsby, Taylor, Leavitt, Kloba, Doglio, Berry, Fey, Davis, Ramel, Callan, Bergquist, Fosse, Pollet, Lekanoff, Slatter, Macri, Alvarado, Stonier, Gregerson and Santos; by request of Superintendent of Public Instruction)

AN ACT Relating to building a multilingual, multiliterate Washington through dual and tribal language education; amending RCW 28A.300.575 and 28A.230.125; reenacting and amending RCW 28A.180.030; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; creating new sections; repealing RCW 28A.300.574; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

E4SHB 1239 by House Committee on Appropriations (originally sponsored by Representatives Santos, Kloba, Morgan, Ramel and Pollet)

AN ACT Relating to establishing a simple and uniform system for complaints related to, and instituting a code of educator ethics for, conduct within or involving public elementary and secondary schools; amending RCW 28A.600.510 and 9A.16.100; adding a new section to chapter 43.06B RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

2ESHB 1282 by House Committee on Capital Budget (originally sponsored by Representatives Duerr, Hackney, Berry, Ramel, Doglio, Reed and Pollet; by request of Department of Commerce)

AN ACT Relating to environmental and labor reporting for public building construction and renovation material; amending RCW 43.88.0301; adding a new chapter to Title 39 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

ESHB 1304 by House Committee on Local Government (originally sponsored by Representatives Hackney and Walen)

AN ACT Relating to electric security alarm systems; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1876 by Representatives Springer, McEntire, Reeves and Thai; by request of Department of Fish and Wildlife

AN ACT Relating to confidential fisheries information collected by other states and maintaining that confidentiality under the public records act; amending RCW 42.56.430 and 42.56.430; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Elections.

ESHB 1893 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Doglio, Berry, Fosse, Reeves, Farivar, Hackney, Ryu, Ortiz-Self, Orwall, Callan, Macri, Goodman, Senn,

Slatter, Riccelli, Tharinger, Bronoske, Ramel, Wylie, Pollet, Cortes, Chopp, Bergquist, Berg, Fey, Donaghy, Reed, Street, Stonier, Kloba, Leavitt, Mena, Simmons, Morgan, Alvarado, Walen, Taylor, Peterson, Ormsby, Stearns, Thai, Bateman, Duerr, Ramos, Rule, Gregerson, Lekanoff, Nance, Santos, Shavers and Davis)

AN ACT Relating to unemployment insurance benefits for striking or lockout workers; amending RCW 50.20.090; reenacting and amending RCW 50.29.021; and creating a new section.

Referred to Committee on Labor & Commerce.

SHB 1916 by House Committee on Appropriations (originally sponsored by Representatives Senn, Couture, Leavitt, Taylor, Paul, Callan, Ramos, Cortes, Reed, Fey, Timmons, Street, Doglio, Simmons, Wylie, Reeves, Alvarado, Nance, Riccelli, Fosse, Pollet and Shavers; by request of Department of Children, Youth and Families)

AN ACT Relating to funding for the early support for infants and toddlers program; amending RCW 43.216.580; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1941 by House Committee on Appropriations (originally sponsored by Representatives Couture, Schmidt, Reed, Graham, Barnard, Kloba, Cheney, Riccelli, Pollet, Griffey and Jacobsen)

AN ACT Relating to providing for health home services for medicaid-eligible children with medically complex conditions; adding a new section to chapter 74.09 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SHB 1942 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Fosse, Schmidt, Reed, Simmons, Ormsby, Rule, Macri and Ortiz-Self; by request of Department of Social and Health Services)

AN ACT Relating to clarifying employment standards for long-term care individual providers; amending RCW 49.46.800, 74.39A.009, and 74.39A.500; and creating a new section.

Referred to Committee on Labor & Commerce.

SHB 1970 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives McClintock, Couture, Waters, Graham, Cheney, Sandlin, Harris and Caldier)

AN ACT Relating to improving communication between the department of children, youth, and families and caregivers; adding a new section to chapter 74.13 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services.

HB 1987 by Representatives Low, Ramel, Ryu, Eslick, Timmons, Paul, Ramos, Reed, Chapman, Ormsby,

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Graham, Doglio, Sandlin, Lekanoff, Tharinger and Santos

AN ACT Relating to the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities; and amending RCW 82.14.370.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

2SHB 2001 by House Committee on Appropriations (originally sponsored by Representatives Simmons, Farivar, Reed, Ormsby, Peterson, Macri, Street, Stearns, Santos and Pollet)

AN ACT Relating to providing judicial discretion to modify sentences in the interests of justice; amending RCW 10.73.100 and 9.94A.535; adding a new section to chapter 9.94A RCW; and creating new sections.

Referred to Committee on Law & Justice.

ESHB 2003 by House Committee on Finance (originally sponsored by Representatives Connors, Leavitt, Klicker, Couture, Schmidt, Chapman, Graham, Peterson, Sandlin, Reeves and Shavers; by request of Department of Natural Resources)

AN ACT Relating to an exemption to the leasehold excise tax for leases on public lands; adding a new section to chapter 82.29A RCW; and creating new sections.

Referred to Committee on Housing.

SHB 2012 by House Committee on Finance (originally sponsored by Representatives Street, Alvarado, Ryu, Ramel, Bateman, Reed, Peterson, Doglio, Lekanoff, Santos, Chopp and Hackney)

AN ACT Relating to eligibility for a property tax exemption for nonprofits providing affordable rental housing built with city and county funds; amending RCW 84.36.560; and creating new sections.

Referred to Committee on Housing.

ESHB 2039 by House Committee on Environment & Energy (originally sponsored by Representatives Fitzgibbon, Ramel, Reed, Ormsby, Fosse and Duerr)

AN ACT Relating to modifying the appeals process for environmental and land use matters; amending RCW 34.05.518, 90.58.180, 70A.230.080, 70A.300.120, 70A.430.070, and 86.16.081; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 43.21B RCW; repealing RCW 70A.205.145; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

HB 2044 by Representatives Duerr, Senn, Fitzgibbon, Alvarado, Ryu, Taylor, Callan, Berry, Gregerson, Reed, Macri, Chopp, Bergquist, Goodman, Pollet, Kloba and Davis

AN ACT Relating to standardizing limitations on voter-approved property tax levies; and amending RCW 84.55.050.

Referred to Committee on Ways & Means.

E2SHB 2065 by House Committee on Appropriations (originally sponsored by Representatives Stearns, Hackney, Ramel, Simmons, Reed, Ormsby, Street, Gregerson, Doglio, Lekanoff, Fosse, Santos, Reeves and Pollet)

AN ACT Relating to recalculating sentencing ranges for currently incarcerated individuals whose offender score was increased by juvenile convictions no longer scorable under current law and allowing them to apply for resentencing without scoring those juvenile convictions; adding a new section to chapter 9.94A RCW; creating new sections; and providing an effective date.

Referred to Committee on Law & Justice.

SHB 2069 by House Committee on Environment & Energy (originally sponsored by Representatives Mosbrucker, Doglio and Reeves)

AN ACT Relating to the sale of biogenic carbon dioxide and other coproducts of biogas processing; and amending RCW 54.04.190.

Referred to Committee on Environment, Energy & Technology.

2SHB 2071 by House Committee on Appropriations (originally sponsored by Representatives Duerr, Bateman, Fitzgibbon, Berry, Reed, Ormsby, Ramel, Pollet and Kloba)

AN ACT Relating to residential housing regulations; adding new sections to chapter 19.27 RCW; adding new sections to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

2SHB 2084 by House Committee on Appropriations (originally sponsored by Representatives Fosse, Low, Berry, Leavitt, Simmons, Reed, Ormsby, Street, Bronoske, Ryu, Chapman, Wylie, Doglio, Cortes, Paul, Reeves and Davis)

AN ACT Relating to establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities; adding a new section to chapter 43.06C RCW; and creating new sections.

Referred to Committee on Human Services.

ESHB 2118 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Walen, Berry, Senn, Reed, Ormsby, Ramel, Peterson, Macri, Farivar, Doglio, Wylie, Reeves, Hackney, Pollet, Kloba and Davis)

AN ACT Relating to protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers; amending RCW 9.41.110; and providing an effective date.

Referred to Committee on Law & Justice.

E2SHB 2128 by House Committee on Appropriations (originally sponsored by Representatives Schmick, Graham, Macri, Harris, Jacobsen and Hutchins)

AN ACT Relating to the modernization of the certificate of need program; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SHB 2147 by House Committee on Appropriations (originally sponsored by Representatives Dent, Chapman, Schmick and Reeves; by request of Department of Agriculture)

AN ACT Relating to agriculture pest and disease response; amending RCW 17.24.171; adding a new section to chapter 43.23 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

2SHB 2151 by House Committee on Appropriations (originally sponsored by Representatives Reeves, Chapman and Kloba; by request of Department of Agriculture)

AN ACT Relating to reassigning the accreditation of private cannabis testing laboratories from the department of ecology to the department of agriculture; reenacting and amending RCW 69.50.348; creating a new section; repealing RCW 43.21A.736; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Commerce.

2SHB 2166 by House Committee on Appropriations (originally sponsored by Representatives Paul and Shavers)

AN ACT Relating to increasing access to portable orders for life-sustaining treatment; amending RCW 43.70.480 and 70.122.130; and creating a new section.

Referred to Committee on Law & Justice.

SHB 2180 by House Committee on Appropriations (originally sponsored by Representatives Callan, Bergquist, Reed, Ormsby, Ramel, Stonier, Paul, Alvarado, Farivar, Fosse and Reeves; by request of Office of Financial Management)

AN ACT Relating to increasing the special education enrollment funding cap; amending RCW 28A.150.390; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SHB 2195 by House Committee on Capital Budget (originally sponsored by Representatives Callan, Eslick, Senn, Chopp, Ramel, Paul, Reeves, Ormsby, Hackney, Reed, Fosse, Doglio, Goodman and Davis)

AN ACT Relating to strengthening the early learning facilities grant and loan program by revising criteria and providing resources to the Ruth LeCocq Kagi early learning facilities development account; amending RCW 43.31.577, 43.31.575, 43.31.569, and 28A.515.320; adding new sections to chapter 43.31 RCW; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

HB 2204 by Representatives Waters and Wylie

AN ACT Relating to the creation of a special liquor permit to authorize the sale of liquor by a manufacturer of liquor at another licensed premises during an emergency; and amending RCW 66.20.010.

Referred to Committee on Labor & Commerce.

ESHB 2207 by House Committee on Environment & Energy (originally sponsored by Representatives Ramos, Low, Chapman, Couture and Reed)

AN ACT Relating to providing tools designed to reduce the impacts of unlawful solid waste dumping; amending RCW 70A.200.060, 7.84.100, 70A.200.140, 70A.305.180, 79.100.030, 79.100.100, 7.84.140, 7.84.020, and 70A.200.070; reenacting and amending RCW 79.100.010; adding a new section to chapter 79.100 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SHB 2230 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Peterson, Eslick, Gregerson, Ramel, Reed and Waters)

AN ACT Relating to promoting economic inclusion by creating the economic security for all grant program; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Human Services.

ESHB 2236 by House Committee on Education (originally sponsored by Representatives Shavers, Santos, Reed and Goodman)

AN ACT Relating to expanding and strengthening career and technical education core plus programs; adding a new section to chapter 28A.700 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

2SHB 2239 by House Committee on Appropriations (originally sponsored by Representatives Timmons, Eslick, Callan, Ramel, Reeves, Reed, Doglio, Leavitt and Davis)

AN ACT Relating to supporting student well-being through instruction in social-emotional skills; amending RCW 28A.300.288; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.630 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

E2SHB 2245 by House Committee on Appropriations (originally sponsored by Representatives Bronoske, Eslick, Ramel, Senn, Reed, Macri, Leavitt and Davis)

AN ACT Relating to establishing co-response services and training as an essential component of the crisis care continuum; amending RCW 71.24.905; reenacting RCW 71.24.025; adding new sections to chapter 71.24 RCW; and creating new sections.

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Referred to Committee on Health & Long-Term Care.

HB 2246 by Representatives Bateman, Low, Gregerson, Bronoske, Robertson, Reeves, Paul, Reed and Doglio

AN ACT Relating to vacation leave accrual for state employees; amending RCW 43.01.044, 41.40.010, and 43.43.120; and reenacting and amending RCW 43.01.040.

Referred to Committee on Labor & Commerce.

E2SHB 2247 by House Committee on Appropriations (originally sponsored by Representatives Bateman, Bronoske, Simmons, Duerr, Callan, Reed, Macri, Doglio, Leavitt and Davis)

AN ACT Relating to addressing behavioral health provider shortages; amending RCW 18.19.020, 18.83.020, 18.83.050, 18.83.080, 18.83.105, 18.83.110, 18.83.115, 18.83.135, 18.83.170, 18.83.180, 18.83.190, 18.83.210, 18.225.145, and 18.225.180; reenacting and amending RCW 18.205.095 and 18.225.090; adding a new section to chapter 71.05 RCW; creating new sections; and providing effective dates.

Referred to Committee on Health & Long-Term Care.

SHB 2254 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Walen, Reeves, Reed and Springer)

AN ACT Relating to implementing recommendations of the 2023 child support schedule work group; amending RCW 26.19.065, 26.19.071, 26.19.080, 26.09.170, 26.23.050, 74.20A.055, 74.20A.056, 74.20A.059, and 26.19.020; reenacting and amending RCW 26.09.004; adding new sections to chapter 26.09 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Law & Justice.

ESHB 2256 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Callan, Eslick, Senn, Davis, Paul, Thai, Ormsby, Pollet and Macri)

AN ACT Relating to the children and youth behavioral health work group; amending RCW 74.09.4951; and providing an expiration date.

Referred to Committee on Human Services.

HB 2257 by Representatives Goehner, Peterson, Low, Chapman, Davis, Steele, Ramel, Doglio, Berg and Timmons

AN ACT Relating to supporting back country search and rescue organizations and volunteers through the creation of the back country search and rescue grant program; amending RCW 38.52.010 and 38.52.020; and adding a new section to chapter 38.52 RCW.

Referred to Committee on State Government & Elections.

SHB 2271 by House Committee on Health Care & Wellness (originally sponsored by Representatives Chambers, Springer, Abbarno, Walen, Jacobsen, Riccelli, Santos, Macri and Walsh)

AN ACT Relating to promoting access to information regarding the long-term services and supports trust program; and adding a new section to chapter 50B.04 RCW.

Referred to Committee on Labor & Commerce.

SHB 2293 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Wilcox, Chapman, Kretz, Dent, Barkis and Barnard)

AN ACT Relating to studying the effects of avian predation of salmon; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 2295 by House Committee on Health Care & Wellness (originally sponsored by Representatives Bateman, Hutchins, Riccelli, Bronoske, Reed, Orwall, Davis, Tharinger, Simmons, Callan and Macri)

AN ACT Relating to establishing a regulatory structure for licensed acute care hospitals to provide hospital at-home services; amending RCW 70.127.040 and 70.38.111; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.126 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SHB 2296 by House Committee on Local Government (originally sponsored by Representatives Griffey, Wylie, Couture, Harris and Leavitt)

AN ACT Relating to extending the comprehensive plan revision schedule for select local governments; and reenacting and amending RCW 36.70A.130.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

E2SHB 2301 by House Committee on Appropriations (originally sponsored by Representatives Doglio, Fitzgibbon, Duerr, Berry, Ramel, Ormsby, Peterson, Pollet, Macri, Cortes, Shavers, Leavitt and Kloba)

AN ACT Relating to improving the outcomes associated with waste material management systems, including products affecting organic material management systems; amending RCW 70A.207.020, 70A.214.100, 70A.205.540, 70A.205.545, 70A.455.040, 70A.455.070, 70A.455.090, 15.04.420, and 43.19A.150; reenacting and amending RCW 70A.455.020; adding new sections to chapter 70A.207 RCW; adding a new section to chapter 43.23 RCW; adding a new section to chapter 70A.205 RCW; adding a new section to chapter 70A.455 RCW; adding a new section to chapter 19.27 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

ESHB 2330 by House Committee on Consumer Protection & Business (originally sponsored by Representatives Reeves, Ryu, Timmons, Reed, Springer and Ramel)

AN ACT Relating to wildfire risk; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 2331 by House Committee on Education (originally sponsored by Representatives Stonier, Macri, Davis, Pollet, Reed and Ramel)

AN ACT Relating to modifying requirements for public school instructional materials and supplemental instructional materials by prohibiting improper exclusions of certain materials, establishing complaint procedures, and promoting culturally and experientially representative materials; amending RCW 28A.320.230 and 28A.642.020; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.640 RCW; and adding a new section to chapter 28A.642 RCW.

Referred to Committee on Early Learning & K-12 Education.

E2SHB 2354 by House Committee on Finance (originally sponsored by Representatives Street, Orcutt, Bronoske, Robertson, Chambers, Callan, Bateman, Doglio and Reed)

AN ACT Relating to creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction and clarifying that a tax increment area must be dissolved when all bond obligations are paid; amending RCW 39.114.010, 39.114.020, 39.114.040, and 39.114.050; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SHB 2357 by House Committee on Transportation (originally sponsored by Representatives Fey, Barkis, Hutchins, Robertson, Leavitt, Schmidt, Shavers, Nance, Bronoske, Paul, Timmons and Caldier)

AN ACT Relating to establishment of a state patrol longevity bonus; amending RCW 43.43.120; adding a new section to chapter 43.43 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Transportation.

ESHB 2384 by House Committee on Transportation (originally sponsored by Representatives Donaghy, Fitzgibbon, Walen and Pollet)

AN ACT Relating to automated traffic safety cameras; amending RCW 46.16A.120, 46.63.030, 46.63.075, 46.68.480, and 46.63.110; adding new sections to chapter 46.63 RCW; and repealing RCW 46.63.170.

Referred to Committee on Transportation.

SHB 2408 by House Committee on Health Care & Wellness (originally sponsored by Representatives Lekanoff, Orwall, Davis, Ramel and Nance)

AN ACT Relating to methods of communication used by the technology platform designed for the behavioral health crisis response and suicide prevention system; and reenacting and amending RCW 71.24.890.

Referred to Committee on Health & Long-Term Care.

HB 2416 by Representatives Graham and Riccelli; by request of Washington State Board of Nursing

AN ACT Relating to changing the legal title for advanced practice nurses; amending RCW 18.79.030, 18.79.040, 18.79.050, 18.79.060, 18.79.070, 18.79.110, 18.79.160, 18.79.170, 18.79.180, 18.79.200, 18.79.230, 18.79.240, 18.79.250, 18.79.256, 18.79.260, 18.79.270, 18.79.290, 18.79.400, 18.79.800, and 18.79.810; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SHB 2424 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Lekanoff, Springer, Schmick, Dent and Chapman)

AN ACT Relating to updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources; and creating new sections.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2440 by Representative Springer; by request of Board of Tax Appeals

AN ACT Relating to the administration of the board of tax appeals; and amending RCW 82.03.020, 82.03.070, 82.03.090, 82.03.150, 82.03.160, 82.03.170, and 82.03.050.

Referred to Committee on Law & Justice.

ESHB 2441 by House Committee on Appropriations (originally sponsored by Representatives Corry, Slatter, Stokesbary, Leavitt and Jacobsen)

AN ACT Relating to a pilot program eliminating college in the high school fees for private not-for-profit four-year institutions; adding a new section to chapter 28B.10 RCW; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SHB 2467 by House Committee on Health Care & Wellness (originally sponsored by Representatives Macri, Chopp, Thai, Bateman and Pollet)

AN ACT Relating to increasing access to the long-term services and supports trust program by allowing participants who move out-of-state the option of maintaining benefit eligibility or opting out, and by prohibiting discrimination including based upon race, gender, age, or preexisting condition; amending RCW 50B.04.010, 50B.04.020, 50B.04.060, 50B.04.070, and 50B.04.100; reenacting and amending RCW 50B.04.050; adding new sections to chapter 50B.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

ESHB 2474 by House Committee on Appropriations (originally sponsored by Representatives Peterson,

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Alvarado, Gregerson, Berry, Leavitt, Fosse, Macri, Nance, Chopp and Bateman)

AN ACT Relating to compliance with siting requirements for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing; adding new sections to chapter 35.21 RCW; adding new sections to chapter 35A.21 RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

ESHB 2482 by House Committee on Finance (originally sponsored by Representatives Harris, Santos and Stonier)

AN ACT Relating to reinstating semiconductor tax incentives; amending RCW 82.04.2404, 82.08.9651, and 82.12.9651; reenacting and amending RCW 82.32.790, 82.04.426, 82.04.448, 82.08.965, 82.08.970, 82.12.965, 82.12.970, and 84.36.645; adding a new section to chapter 82.04 RCW; creating new sections; providing a contingent effective date; providing expiration dates; providing contingent expiration dates; and declaring an emergency.

Referred to Committee on Business, Financial Services, Gaming & Trade.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Second Substitute House Bill No. 2071 which had been designated to the Committee on Housing and was referred to the Committee on Local Government, Land Use & Tribal Affairs.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Salomon moved adoption of the following resolution:

SENATE RESOLUTION 8673

By Senators Salomon, Fortunato, Valdez, Van De Wege, Lovick, Pedersen, Hansen, Padden, Braun, Boehnke, Cleveland, Wagoner, Liias, Hunt, Hasegawa, Billig, Randall, Wellman, Schoesler, Short, Gildon, Mullet, Shewmake, Saldaña, Kuderer, Stanford, and Holy

WHEREAS, The people of Washington state and the people of Ukraine share a commitment to democracy, human rights, and the rule of law; and

WHEREAS, Washington state is home to over 80,000 people with Ukrainian heritage and one of the largest populations of Ukrainian immigrants among the 50 states; and

WHEREAS, Many Ukrainians immigrated to Washington state fleeing Soviet persecution for their beliefs and seeking personal and religious freedoms in the United States; and

WHEREAS, The state of Washington has welcomed over 20,000 Ukrainians since February of 2022 and continues to be a welcoming state; and

WHEREAS, Ukrainians and Ukrainian Americans in Washington state have enriched our communities through their leadership and contributions in agriculture, business, academia, government, and the arts; and

WHEREAS, On February 24, 2022, Russia launched a full-scale aggression against Ukraine, in an escalation of the war unleashed in 2014, which became the largest attack on a European nation since World War II; and

WHEREAS, This war on Ukraine has killed tens of thousands of Ukrainian servicemembers and civilians, displaced millions of Ukrainians, and has caused an urgent international humanitarian crisis; and

WHEREAS, President Putin has denied the existence of Ukraine and seeks to overthrow the democratically elected government of Ukraine; and

WHEREAS, The people of Ukraine are now engaged in a war to defend their independence and democratic path of development and lives;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the democratic values shared by the people of Washington state and the people of Ukraine; and

BE IT FURTHER RESOLVED, That the Washington State Senate express its deepest sympathies for all Ukrainian Americans, especially those with loved ones in harm's way; and

BE IT FURTHER RESOLVED, That the Washington State Senate condemn the unprovoked Russian war against Ukraine and reiterate its support for peace, diplomacy, and an immediate end to the Russian invasion; and

BE IT FURTHER RESOLVED, That the Washington State Senate commend the courage and resilience of the Ukrainian people in their pursuit of sovereignty and democracy and reaffirm its support of Ukrainian citizens here in Washington state and abroad.

Senator Salomon spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8673.

The motion by Senator Salomon carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Honorary Consul of Ukraine, Mr. Valeriy Goloborodko and The Honorable Sergey Amelin, Dnipropetrovsk Region Legislator, who were seated in the gallery.

The President further welcomed and introduced Ukrainian residents led by The Honorable Kirk Pearson, Vice President of External Affairs for the Volunteers of America Western Washington (VOA) and former State Senator, 39th Legislative District, and Mr. Farid Khan Popal, Executive Assistant Director of Refugee Resettlement, who were also seated in the gallery.

MOTION

At 1:39 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, February 15, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY NINTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, February 15, 2024

The Senate was called to order at 12:30 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

On motion of Senator Pedersen and without objection, the following measures and listed on the document titled *BILL DISPOSITIONS 2/15* either held by the Committee on Rules or on the day's floor calendars were referred to the Committee on Rules as follows:

BILL DISPOSITIONS 2/15

The Committee on Rules was relieved of further active consideration of the following measures and the measures were placed in the Committee's X-file:

- SUBSTITUTE SENATE BILL NO. 5025;
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5050;
- SENATE BILL NO. 5051;
- SENATE BILL NO. 5085;
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5102;
- SUBSTITUTE SENATE BILL NO. 5126;
- ENGROSSED SENATE BILL NO. 5130;
- SUBSTITUTE SENATE BILL NO. 5171;
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5207;
- SENATE BILL NO. 5274;
- SUBSTITUTE SENATE BILL NO. 5303;
- SUBSTITUTE SENATE BILL NO. 5405;
- SECOND SUBSTITUTE SENATE BILL NO. 5438;
- SENATE BILL NO. 5598;
- SENATE BILL NO. 5602;
- SENATE BILL NO. 5610;
- SUBSTITUTE SENATE BILL NO. 5626;
- SENATE BILL NO. 5662;
- SENATE BILL NO. 5677;
- SENATE BILL NO. 5684;
- ENGROSSED SENATE BILL NO. 5691;
- SENATE BILL NO. 5711;
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5716;
- SENATE BILL NO. 5723;
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5726;
- SENATE BILL NO. 5736;
- SENATE BILL NO. 5751;
- SENATE BILL NO. 5779;
- SENATE BILL NO. 5807;
- SENATE BILL NO. 5827;
- SENATE BILL NO. 5851;
- SENATE BILL NO. 5858;
- SENATE BILL NO. 5894;
- SENATE BILL NO. 5901;
- SENATE BILL NO. 5941;
- SENATE BILL NO. 5945;
- SENATE BILL NO. 5946;
- SENATE BILL NO. 5960;
- SENATE BILL NO. 5989;
- SENATE BILL NO. 5996;

- SENATE BILL NO. 6032;
- SENATE BILL NO. 6033;
- SENATE BILL NO. 6035;
- SENATE BILL NO. 6114;
- SENATE BILL NO. 6168;
- SENATE BILL NO. 6195;
- SENATE BILL NO. 6201;
- SENATE BILL NO. 6211;
- SENATE BILL NO. 6245;
- SENATE BILL NO. 6299;

SENATE JOINT RESOLUTION NO. 8203;
and SENATE JOINT RESOLUTION NO. 8208.

The following measures were removed from the day's Floor Calendar, referred to the Committee on Rules and placed in the Committee's X-file:

- SENATE BILL NO. 5002;
- SENATE BILL NO. 5129;
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5326;
- SENATE BILL NO. 5377;
- SENATE BILL NO. 5383;
- SUBSTITUTE SENATE BILL NO. 5600;
- SENATE BILL NO. 5770;
- SENATE BILL NO. 5777;
- SENATE BILL NO. 5791;
- SENATE BILL NO. 5847;
- SENATE BILL NO. 5911;
- SENATE BILL NO. 5993;
- SENATE BILL NO. 6029;
- SENATE BILL NO. 6062;
- SENATE BILL NO. 6063;
- SENATE BILL NO. 6205;
- SENATE BILL NO. 6212;
- SENATE BILL NO. 6261;
- SENATE BILL NO. 6265;
- SENATE BILL NO. 6304;
- and SENATE CONCURRENT RESOLUTION NO. 8402.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 15, 2024

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED HOUSE BILL NO. 1964

and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

EHB 1468 by Representatives Goehner, Duerr, Jacobsen, Griffey, Barkis, Robertson, Hutchins, Chapman, Riccelli, Berg, Bateman and Pollet

THIRTY NINTH DAY, FEBRUARY 15, 2024

AN ACT Relating to impact fee deferrals; amending RCW 82.02.050; and repealing RCW 43.31.980.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

E4SHB 1479 by House Committee on Appropriations (originally sponsored by Representatives Callan, Santos, Goodman, Ramel, Ormsby and Pollet; by request of Superintendent of Public Instruction)

AN ACT Relating to restraint or isolation of students in public schools and educational programs; amending RCW 28A.600.485, 28A.600.486, and 28A.155.210; adding new sections to chapter 28A.600 RCW; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1551 by House Committee on Appropriations (originally sponsored by Representatives Pollet, Doglio, Fitzgibbon, Berry, Gregerson, Fosse and Bateman)

AN ACT Relating to reducing lead in cookware; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SHB 1870 by House Committee on Appropriations (originally sponsored by Representatives Barnard, Ryu, Leavitt, Connors, Couture, Schmidt, Duerr, Slatter, Reed, Chapman, Graham, Ormsby, Timmons, Donaghy, Paul, Doglio, Reeves, Hackney and Griffey)

AN ACT Relating to promoting economic development by increasing opportunities for local communities to secure federal funding; amending RCW 43.330.070, 43.330.088, and 43.330.260; and creating new sections.

Referred to Committee on Business, Financial Services, Gaming & Trade.

E2SHB 1899 by House Committee on Appropriations (originally sponsored by Representatives Volz, Schmidt, Chapman, Graham, Rule, Leavitt, Waters, Low, Christian, Couture, McClintock, Barnard, Jacobsen, Timmons, Schmick, Dent, Cheney, Sandlin and Griffey)

AN ACT Relating to facilitating reconstruction of communities damaged or destroyed by wildfires; adding a new section to chapter 43.31 RCW; creating new sections; and declaring an emergency.

Referred to Committee on State Government & Elections.

ESHB 1906 by House Committee on Transportation (originally sponsored by Representatives Chapman, Barkis, Bronoske, Reed, Ryu and Reeves)

AN ACT Relating to the vessel length requirement in obtaining nonresident vessel permits; amending RCW 88.02.620 and 88.02.640; and providing an expiration date.

Referred to Committee on Transportation.

SHB 1919 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Bronoske, Corry, Leavitt, Reed and Tharinger)

AN ACT Relating to modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees; and amending RCW 88.26.020.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1996 by House Committee on Consumer Protection & Business (originally sponsored by Representatives Robertson, Chapman and Graham)

AN ACT Relating to establishing the Washington recreational vehicle manufacturer and dealer law; reenacting and amending RCW 46.96.020; adding a new chapter to Title 46 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SHB 2007 by House Committee on Appropriations (originally sponsored by Representatives Peterson, Gregerson, Alvarado, Berry, Senn, Morgan, Leavitt, Reed, Ormsby, Kloba, Macri, Doglio, Bergquist, Goodman, Ortiz-Self, Santos and Hackney)

AN ACT Relating to expanding time limit exemptions applicable to cash assistance programs; amending RCW 74.08A.010; creating a new section; and providing an effective date.

Referred to Committee on Human Services.

SHB 2009 by House Committee on Appropriations (originally sponsored by Representatives Mosbrucker, Goodman, Leavitt, Ramos, Jacobsen, Graham, Cheney, Gregerson, Orwall, Riccelli and Davis)

AN ACT Relating to the use of dental records in missing person investigations; amending RCW 68.50.310 and 68.50.320; adding a new section to chapter 18.32 RCW; and creating a new section.

Referred to Committee on Law & Justice.

HB 2023 by Representatives Shavers, Ramel, Reed, Ormsby, Callan, Timmons, Berg, Lekanoff, Doglio, Reeves and Santos

AN ACT Relating to improving meaningful access to elections by increasing language assistance; and adding a new section to chapter 29A.04 RCW.

Referred to Committee on State Government & Elections.

ESHB 2079 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Schmidt, Riccelli, Low, Christian, Klicker, Ormsby, McClintock and Couture)

AN ACT Relating to improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities; amending RCW 28A.635.090 and 28A.635.100; creating a new section; and prescribing penalties.

Referred to Committee on Early Learning & K-12 Education.

ESHB 2114 by House Committee on Appropriations (originally sponsored by Representatives Alvarado, Macri, Ramel, Peterson, Mena, Slatter, Farivar, Taylor, Doglio, Cortes, Fitzgibbon, Gregerson, Berry, Senn, Reed, Bateman, Ortiz-Self, Simmons, Ormsby, Street, Chopp, Orwall, Bergquist, Berg, Wylie, Stonier, Lekanoff, Fosse, Riccelli, Pollet, Kloba and Davis)

AN ACT Relating to improving housing stability for tenants subject to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act by limiting rent and fee increases, requiring notice of rent and fee increases, limiting fees and deposits, establishing a landlord resource center and associated services, authorizing tenant lease termination, creating parity between lease types, and providing for attorney general enforcement; amending RCW 59.18.140, 59.18.270, 59.18.170, 59.20.090, 59.20.170, 59.20.060, and 59.20.030; adding new sections to chapter 59.18 RCW; adding new sections to chapter 59.20 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Ways & Means.

2SHB 2124 by House Committee on Appropriations (originally sponsored by Representatives Eslick, Senn, Leavitt, Chapman, Reed, Ramel, Callan, Rule, Goodman, Tharinger, Wylie, Timmons, Stonier, Reeves, and Kloba)

AN ACT Relating to supporting and expanding access to child care and early learning programs; amending RCW 43.216.1364 and 43.216.775; reenacting and amending RCW 43.216.136; creating a new section; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

ESHB 2153 by House Committee on Consumer Protection & Business (originally sponsored by Representatives Ryu, Ormsby, Cheney, Reeves, Pollet and Davis)

AN ACT Relating to deterring the theft of catalytic converters; amending RCW 19.290.010, 19.290.020, 19.290.030, 19.290.040, 19.290.050, 19.290.060, 19.290.080, 19.290.220, 19.290.240, 46.79.010, 46.80.080, 46.80.210, and 9A.82.010; reenacting and amending RCW 46.80.010, 9.94A.533, and 9.94A.515; adding a new section to chapter 19.290 RCW; adding a new section to chapter 46.70 RCW; adding new sections to chapter 46.79 RCW; adding a new section to chapter 46.80 RCW; adding new sections to chapter 43.43 RCW; adding new sections to chapter 9A.82 RCW; adding a new section to chapter 9.94A RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

E2SHB 2160 by House Committee on Capital Budget (originally sponsored by Representatives Reed, Fey, Mena, Alvarado, Berry, Bateman, Ormsby, Ramel, Macri, Street, Peterson, Gregerson, Ryu, Cortes,

Riccelli, Doglio and Pollet; by request of Office of the Governor)

AN ACT Relating to promoting community and transit-oriented housing development; amending RCW 43.21C.229; reenacting and amending RCW 36.70A.030; adding new sections to chapter 36.70A RCW; adding a new section to chapter 44.28 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.32 RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 2210 by Representatives Dye, Couture, Graham, Fosse, Springer and Davis

AN ACT Relating to establishing a wild horse holding and training program at a state corrections center; and creating new sections.

Referred to Committee on Human Services.

HB 2213 by Representatives Cheney, Taylor, Duerr and Graham

AN ACT Relating to defects and omissions in the laws that have been identified by the justices of the supreme court or judges of the superior courts pursuant to Article IV, section 25 of the state Constitution; amending RCW 10.116.030, 13.04.030, 21.20.380, and 29A.80.061; reenacting and amending RCW 10.95.030; creating a new section; repealing RCW 9.68.060, 9.68.070, and 9.68.090; and repealing 2020 c 1 ss 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 (uncodified).

Referred to Committee on Law & Justice.

ESHB 2303 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Goodman, Simmons and Peterson)

AN ACT Relating to modification of conditions of community custody; amending RCW 9.94A.704, 9.94A.703, 9.94A.709, 9.94A.730, 9.95.420, 9.95.435, and 10.73.100; reenacting and amending RCW 10.95.030; creating a new section; and declaring an emergency.

Referred to Committee on Human Services.

SHB 2329 by House Committee on Consumer Protection & Business (originally sponsored by Representatives Macri, Peterson, Alvarado, Chopp, Bateman, Pollet, Reed and Ramel)

AN ACT Relating to conducting a study of the insurance market for housing providers receiving housing trust fund resources; creating new sections; and providing an expiration date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SHB 2368 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Gregerson, Eslick, Thai, Low, Senn, Leavitt, Davis, Farivar, Nance, Reed, Doglio, Ramel, Simmons, Ormsby, Street, Goodman, Timmons, Pollet and Santos)

THIRTY NINTH DAY, FEBRUARY 15, 2024

AN ACT Relating to assisting refugees and immigrants by describing the role of the office of refugee and immigrant assistance within the department of social and health services in administering federal funding regarding refugee support services and authorizing the office of refugee and immigrant assistance within the department of social and health services to administer services to immigrants; and adding a new chapter to Title 74 RCW.

Referred to Committee on Human Services.

HB 2375 by Representatives Goehner, Bateman, Orcutt, Simmons, Davis, Sandlin, Rude, Wilcox, Barkis, Schmidt, Steele, Barnard, Shavers, Christian, Reed, Tharinger and Caldier

AN ACT Relating to including an accessory dwelling unit under property that qualifies for the senior citizens property tax exemption; amending RCW 84.36.383; and creating new sections.

Referred to Committee on Housing.

SHB 2382 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Berry, Lekanoff, Reed, Bronoske, Fosse, Pollet and Ormsby)

AN ACT Relating to death benefits applicable to drivers of transportation network companies; amending RCW 51.16.250; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Labor & Commerce.

SHB 2389 by House Committee on Housing (originally sponsored by Representatives Abbarno and Barkis)

AN ACT Relating to service of notice by mail in cases involving forcible entry and forcible and unlawful detainer; and amending RCW 59.12.040.

Referred to Committee on Law & Justice.

SHB 2411 by House Committee on Capital Budget (originally sponsored by Representatives Callan, Berg and Ortiz-Self)

AN ACT Relating to school districts' authority to contract indebtedness for school construction; and amending RCW 28A.530.080.

Referred to Committee on Early Learning & K-12 Education.

HB 2481 by Representatives Volz, Bergquist, Robertson and Macri

AN ACT Relating to waiving health benefit premiums in the public employees' benefits board; and reenacting and amending RCW 41.05.080.

Referred to Committee on Ways & Means.

ESHB 2494 by House Committee on Appropriations (originally sponsored by Representatives Bergquist, Rude, Simmons, Senn, Pollet, Callan, Paul, Macri, Stonier and Gregerson)

AN ACT Relating to state funding for operating costs in schools; amending RCW 28A.150.260; creating new sections; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions and to waive the 24-hour filing requirement.

EDITOR'S NOTE: Senate Rule 20 requires floor resolutions be submitted 24-hours before being considered on the Senate floor.

Senator Rivers moved adoption of the following resolution:

SENATE RESOLUTION 8656

By Senators Rivers, Boehnke, Braun, Cleveland, Kuderer, Lovick, Torres, Wellman, J. Wilson, Valdez, Dozier, Keiser, Mullet, Short, Warnick, and Stanford

WHEREAS, Many Washington citizens have literally given the gift of life by donating organs, eyes, and tissues; and

WHEREAS, It is essential that all citizens are aware of the opportunity to save and heal the lives of others through organ, eye, and tissue donation and transplantation; and

WHEREAS, There are more than one hundred thousand courageous Americans awaiting a lifesaving organ transplant, with twenty-two individuals losing their lives every day because of the shortage of organs for transplant; and

WHEREAS, Every ten minutes, a person is added to the national organ transplant waiting list; and

WHEREAS, One organ donor can save the lives of up to eight people and heal many more through cornea and tissue donation; and

WHEREAS, Families receive comfort through the grieving process with the knowledge that through organ, eye, and tissue donation, another person's life has been saved or healed; and

WHEREAS, Organ donation offers transplant recipients a second chance at life, enabling them to be with their families and maintain a higher quality of life; and

WHEREAS, The families of organ, eye, and tissue donors receive gratitude from grateful recipients whose lives have been saved by transplantation; and

WHEREAS, The example set by those who choose to donate reflects the character and compassion of these individuals, whose voluntary choice saves the lives of others; and

WHEREAS, Donate Life America has designated April as National Donate Life Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor April as National Donate Life Month to remember those who have donated, and celebrate the lives of the recipients.

Senator Rivers spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8656.

The motion by Senator Rivers carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced the family and friends of Miss Mozae “Mo” Allenbach, an organ donor whose selfless act and memory was being honored, including Ms. Jeannie Allenbach, her mother, and Miss Victoria Harris, Mo’s best friend who were seated in the gallery.

The President Pro Tempore further introduced Ms. Jenna Pringle and Ms. Aileen O’Connell representing LifeCenter Northwest.

MOTION

Senator Shewmake moved adoption of the following resolution:

SENATE RESOLUTION
8667

By Senators Shewmake and Stanford

WHEREAS, The Washington state commercial fishing fleet will set off for the Pacific in May of 2024; and

WHEREAS, The blessing of the fleet will occur in Blaine Harbor on May 5, 2024; and

WHEREAS, The commercial and tribal fishing industries have, for generations, been vital for the prosperity of our state, and support the economic well-being of many Washington families; and

WHEREAS, The courage of fishers in the face of danger encountered on the seas deserves our admiration, appreciation, and respect; and

WHEREAS, The treacherous seas too often take the lives of the valiant souls who take on great risks for our benefit, and the grief of this loss is felt not only in their families and communities, but across our entire state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate extend its condolences to the families and friends of all our fishers who have lost their lives at sea, wish the entire commercial fishing fleet a safe and prosperous season, and express its hope that all our fishers will return home safely to their families, friends, and communities.

Senator Shewmake spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8667.

The motion by Senator Shewmake carried and the resolution was adopted by voice vote.

MOTION

Senator Rivers moved adoption of the following resolution:

SENATE RESOLUTION
8669

By Senators Rivers, Cleveland, Kuderer, Dozier, Keiser, Mullet, Boehnke, Short, L. Wilson, Warnick, Valdez, Torres, and Stanford

WHEREAS, Cardiovascular disease is the leading cause of death in women, claiming more lives than all forms of cancer combined and yet only 44 percent of women recognize that cardiovascular disease is their greatest health threat; and

WHEREAS, Among females 20 years and older, nearly 45 percent are living with some form of cardiovascular disease and less than half of women entering pregnancy in the United States have optimal cardiovascular health; and

WHEREAS, Cardiovascular disease is the leading cause of maternal death in the United States, or more simply put, heart disease is the Number One killer of new moms; and

WHEREAS, Overall, 10 percent to 20 percent of women will have a health issue during pregnancy, and high blood pressure, preeclampsia, and gestational diabetes during pregnancy greatly increase a woman's risk for developing cardiovascular disease later in life; and

WHEREAS, Most cardiac and stroke events can be prevented through education and lifestyle changes, such as moving more, eating smart, and managing blood pressure; and

WHEREAS, In 2020, stroke caused the deaths of 90,627 females, approximately 56.5 percent of total stroke deaths; and

WHEREAS, Women are often less likely to receive bystander CPR because rescuers often fear accusations of inappropriate touching, sexual assault, or injuring the victim; and

WHEREAS, There are significant biological differences between men and women, and clinical trials have not always adequately enrolled women or analyzed sex-specific differences in the data, and, as of 2020, only 38 percent of cardiovascular clinical research trial participants are women; and

WHEREAS, Since 2004, the American Heart Association's Go Red for Women movement has addressed the awareness and clinical care gaps of women's greatest health threat, cardiovascular disease, and, on the cusp of the American Heart Association's 100th anniversary, continues to make bold moves to save lives and pioneer scientific discoveries;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington join the American Heart Association in celebrating Friday, February 2, 2024, as National Wear Red Day to support awareness about cardiovascular disease in women.

Senator Rivers spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8669.

The motion by Senator Rivers carried and the resolution was adopted by voice vote.

MOTION

Senator Gildon moved adoption of the following resolution:

SENATE RESOLUTION
8676

By Senator Gildon

WHEREAS, The residents of Washington state have enjoyed a long-standing friendship with the people of the Republic of Korea; and

WHEREAS, This friendship includes a rich cultural history and strong international bond reflected in the respective communities; and

WHEREAS, The relationship between the people of Washington state and the Republic of Korea and Washington's sister state of Jeollabuk-do, has been economically and culturally beneficial for all parties; and

WHEREAS, In 2023, Jeollabuk-do has undertaken an administrative change and been redesignated as the state of Jeonbuk; and

THIRTY NINTH DAY, FEBRUARY 15, 2024

WHEREAS, The state of Washington, in honor of this international bond, wishes to reaffirm its ongoing friendship with its sister state, Jeollabuk-do, as it finalizes its administrative change to the state of Jeonbuk; and

WHEREAS, The Jeonbuk State Council of the Republic of Korea aims to formalize and strengthen the bond of friendship and cooperation established in 1996 and solidified through sisterhood since 2004; and

WHEREAS, The people of the Sister States seek to facilitate active exchanges in areas including government operations, environmental management, agriculture, industrial economy, culture, and construction, sharing best practices for mutual benefit; and

WHEREAS, The people of Washington look forward to a continued collegial and mutual prosperous relationship with the people of the state of Jeonbuk and its people well into the future;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the mutual friendship, history, and successes shared between the citizens of the state of Washington and its sister state of Jeonbuk and hereby honor the past, present, and ongoing nature of this relationship and congratulate our sister state on its successful transition to the state of Jeonbuk; and

BE IT FURTHER RESOLVED, That the Senate continue the mutual cooperation, and opportunities for cultural exchanges between the people of our sister state of Jeonbuk and the people of Washington state.

Senator Gildon spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8676.

The motion by Senator Gildon carried and the resolution was adopted by voice vote.

MOTION

At 12:55 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, February 16, 2024.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTIETH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, February 16, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 15, 2024

HB 1455 Prime Sponsor, Representative Stonier: Eliminating child marriage. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member and Wilson, L.

Referred to Committee on Rules for second reading.

February 15, 2024

E2SHB 1618 Prime Sponsor, Committee on Appropriations: Concerning the statute of limitations for childhood sexual abuse. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 15, 2024

ESHB 1652 Prime Sponsor, Committee on Appropriations: Concerning child support pass through. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 15, 2024

HB 1992 Prime Sponsor, Representative Timmons: Adding an additional superior court judge in Whatcom county. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 15, 2024

SGA 9294 CHRISTENE G. ENDRESEN SCOTT, appointed on July 18, 2022, for the term ending July 15, 2026, as Member of the Salmon Recovery Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 15, 2024

SGA 9364 LUC JASMIN, appointed on June 19, 2023, for the term ending June 17, 2028, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

February 15, 2024

SGA 9383 SAMUEL T. MENSER, appointed on July 24, 2023, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the Secretary of the Senate:

FORTIETH DAY, FEBRUARY 16, 2024

Corrections, Department of - *“Unexpected Fatality Review Committee Report UFR-23-015”*, pursuant to 72.09.770 RCW; *“Community Custody Terms: Violations and Sanctions 2023 Report”*, pursuant to 72.09.312 RCW; *“Unexpected Fatality Review Committee Report UFR-23-022”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report UFR-23-016”*, pursuant to 72.09.770 RCW;

Health Care Authority - *“Rural Access Study”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Social & Health Services, Department of - *“Statewide Accounting of Contracted SVP Housing and Treatment Providers”*, pursuant to 71.09.097 RCW; *“Forensic Admissions and Evaluations-Performance Targets 2023 Second Quarter (April 1, 2023-June 30, 2023)”*, pursuant to 10.77.068 RCW; *“WorkFirst Wage Progression Report - 2023 First Quarter”*, pursuant to 74.08A.411 RCW; *“Special Commitment Center Report”*, in accordance with Engrossed Substitute Senate Bill No. 5187; *“Annual Workforce Development Report”*, pursuant to 74.39A.275 RCW; *“Examining Temporary Assistance for Needy Families Time Limit and Sanction Data Disaggregated by Race and Ethnicity”*, pursuant to 74.08A.265 RCW;

Transportation, Department of - *“Capital Projects Report - Quarter 2, 23-25 Biennium”*, in accordance with Engrossed Substitute House Bill No. 1125; *“Local Governments Determination on Permits Report”*, pursuant to 47.01.485 RCW; *“Freight Rail Investment Bank (FRIB) and Freight Rail Assistance Program (FRAP) 2021-23 Progress Report”*, in accordance with Substitute Senate Bill No. 5742; *“Violations of Environmental Permits and Regulations for State Transportation Projects”*, pursuant to 47.85.040 RCW.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 15, 2024

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1768,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1862,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2306,
HOUSE BILL NO. 2454,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6316 by Senators Pedersen and King

AN ACT Relating to the state route number 520 corridor; amending RCW 47.56.870; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1768 by House Committee on Finance (originally sponsored by Representatives Shavers, Barnard, Chapman and Ramel)

AN ACT Relating to exempting certain sales of electricity to qualifying green businesses from the public utilities tax; adding a new section to chapter 82.16 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

ESHB 1862 by House Committee on Finance (originally sponsored by Representatives Leavitt, Barnard, Tharinger, Graham, Couture, Duerr, Barkis, Bronoske, Slatter, Chapman, Simmons, Jacobsen, Timmons, Callan, Street, Sandlin, Donaghy, Doglio, Goodman, Caldier, Robertson, Hutchins, Reeves, Lekanoff, Riccelli, Hackney, Pollet and Shavers)

AN ACT Relating to providing tax exemptions for the assistance of disabled veterans and members of the armed forces of the United States of America; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Ways & Means.

ESHB 2306 by House Committee on Finance (originally sponsored by Representatives Steele and Callan)

AN ACT Relating to allowing main street programs to use remaining main street tax credits after a certain date; and amending RCW 82.73.030.

Referred to Committee on Ways & Means.

HB 2454 by Representatives Ybarra and Chapman

AN ACT Relating to extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington; amending RCW 82.21.040; and amending 2015 3rd sp.s. c 6 s 1901 (uncodified).

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION

8677

By Senator Hasegawa

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which authorized the United States military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 12,000 Japanese-American residents of Washington State; and

WHEREAS, The first civilian evacuation order gave Japanese-Americans from Bainbridge Island, Washington less than one week to leave behind homes, personal belongings, farms, businesses, friends, and family and report to detention centers like Camp Harmony on the grounds of the Washington State fair in Puyallup, where hastily converted horse stables housed the evacuated families; and

WHEREAS, These detention centers were temporary quarters for the evacuees while the United States military department constructed ten mass incarceration sites for Japanese-Americans located in remote inland areas of the United States; and

WHEREAS, This drastic policy of removal and relocation allegedly aimed to prevent acts of espionage and sabotage by Japanese-Americans who were deemed untrustworthy and disloyal to the United States; and

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese-Americans, the 442nd Regimental Combat Team, most of whom reported for military duty from the concentration camps in which they and their families were held as prisoners surrounded by barbed wire and armed guards; and

WHEREAS, More than 12,000 volunteers responded to questions about their loyalty and patriotism by amassing a battle record unparalleled in United States military history with a casualty rate of 314% and earning a collective 7 Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, 1 Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 145 Soldier's Medals, 9,486 Purple Hearts, 16 decorations from France and Italy, and, in 2010, the Congressional Gold Medal; and

WHEREAS, Equally loyal and patriotic Japanese-Americans fought to protect our constitutional rights and liberties through dissent, like University of Washington student and Auburn native Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and refusing to evacuate when ordered; and

WHEREAS, In 1982, the Congressional commission on wartime relocation and internment of civilians found "no military or security reason for the internment" of persons of Japanese ancestry, but determined the cause of the incarceration as "racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, Through this travesty of justice, Japanese-Americans suffered immense economic loss of property and assets, experienced immeasurable physical and psychological harm as individuals and collectively as a community, and were deprived of their constitutional liberties without due process of law; and

WHEREAS, In 1979, Washington State Congressman Mike Lowry introduced H.R. 5977 to provide reparations and an apology to the Japanese-American incarcerated, thus initiating a 10-year legislative quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988; and

WHEREAS, Vowing *Nidoto Nai Yoni* – Let it Not Happen Again, the Japanese-American community now wields the lessons of this experience to fight for equity and justice in solidarity with all Americans who seek to protect and preserve the civil liberties we are guaranteed;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate pause to acknowledge the 82nd anniversary of the signing of Executive Order 9066; to recognize and remember Japanese-American veterans, incarcerated, and civil rights activists from the State of Washington, and to reflect on, and honor the lessons, blessings, and responsibilities of the phrase, "...with liberty and justice for all"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Nisei Veterans Committee, Densho, the Japanese-American Citizens League, the Japanese Cultural and Community Center of Washington State, and the Wing Luke Museum of the Asian Pacific American Experience.

Senators Hasegawa, Wagoner, Kauffman and Conway spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8677.

The motion by Senator Hasegawa carried and the resolution was adopted by voice vote.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED HOUSE BILL NO. 1964.

MOTION

At 12:49 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, February 19, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY THIRD DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, February 19, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Liias.

The Sergeant at Arms Color Guard consisting of Pages Miss Elizabeth Busch-Conway, the granddaughter of Senator Conway, and Mr. Alden Bachmeier, presented the Colors.

Mr. Kalani Mabanag, the grandson of Lt. Governor Heck, led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Eusung Kelly Liu, Co-Senior Pastor, Oasis Community Church of Tacoma.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Law & Justice was granted special leave to continue to meet during the day's floor session.

On motion of Senator Pedersen the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 16, 2024

HB 1052 Prime Sponsor, Representative Ramel: Providing a property tax exemption for qualified real and personal property owned or used by a nonprofit entity in providing qualified housing funded in whole or part through a local real estate excise tax. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Cleveland; Gildon; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Wilson, J.

Referred to Committee on Ways & Means.

February 15, 2024

HB 1054 Prime Sponsor, Representative Walen: Addressing the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators McCune; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member and Torres.

Referred to Committee on Rules for second reading.

February 15, 2024

SHB 1249 Prime Sponsor, Committee on Regulated Substances & Gaming: Regarding limits on the sale and possession of retail cannabis products. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 15, 2024

2ESHB 1371 Prime Sponsor, Committee on Finance: Providing incentives to improve freight railroad infrastructure. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

February 15, 2024

ESHB 1493 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning impaired driving. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Transportation.

February 15, 2024

2ESHB 1508 Prime Sponsor, Committee on Appropriations: Improving consumer affordability through the health care cost transparency board. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 16, 2024

HB 1917 Prime Sponsor, Representative Leavitt: Adopting the physician assistant compact. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 15, 2024

HB 1920 Prime Sponsor, Representative Robertson: Modifying the public accountancy act. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 15, 2024

HB 1927 Prime Sponsor, Representative Bronoske: Reducing the number of days that a worker's temporary total disability must continue to receive industrial insurance compensation for the day of an injury and the three-day period following the injury. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 16, 2024

SHB 1939 Prime Sponsor, Committee on Postsecondary Education & Workforce: Adopting the social work licensure compact. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 16, 2024

HB 1954 Prime Sponsor, Representative Riccelli: Harmonizing language relating to reproductive health care services and gender-affirming treatment. Reported by Committee on Health & Long-Term Care

February 15, 2024

HB 1530 Prime Sponsor, Representative Cortes: Expanding eligibility for employment of certain law enforcement and prosecutor office positions. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 16, 2024

ESHB 1589 Prime Sponsor, Committee on Environment & Energy: Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Rules for second reading.

February 16, 2024

HB 1890 Prime Sponsor, Representative Alvarado: Concerning housing authorities. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J..

Referred to Committee on Rules for second reading.

February 16, 2024

SHB 1892 Prime Sponsor, Committee on Housing: Concerning the workforce housing accelerator program. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Ranking Member; Braun; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

February 15, 2024

SHB 1905 Prime Sponsor, Committee on Labor & Workplace Standards: Including protected classes in the Washington equal pay and opportunities act. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen and Schoesler.

FORTY THIRD DAY, FEBRUARY 19, 2024

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Assistant Ranking Member; Holy and Padden.

Referred to Committee on Rules for second reading.

February 16, 2024

HB 1972 Prime Sponsor, Representative Simmons: Increasing the licensure fees that support the Washington physicians health program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 15, 2024

HB 1975 Prime Sponsor, Representative Ortiz-Self: Relieving individuals from paying interest on certain unemployment insurance overpayment assessments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Rules for second reading.

February 15, 2024

ESHB 1998 Prime Sponsor, Committee on Housing: Concerning co-living housing. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Short.

Referred to Committee on Rules for second reading.

February 16, 2024

ESHB 2003 Prime Sponsor, Committee on Finance: Concerning an exemption to the leasehold excise tax for leases on public lands. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

February 16, 2024

SHB 2015 Prime Sponsor, Committee on Health Care & Wellness: Concerning incentivizing adult family homes to increase bed capacity to seven or eight beds. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 15, 2024

2SHB 2022 Prime Sponsor, Committee on Appropriations: Concerning construction crane safety. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 15, 2024

E2SHB 2099 Prime Sponsor, Committee on Appropriations: Concerning state identification cards for persons in state custody or care. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Hasegawa and Kuderer.

Referred to Committee on Transportation.

February 15, 2024

HB 2111 Prime Sponsor, Representative Nance: Clarifying requirements for subsidized child care. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 16, 2024

ESHB 2115 Prime Sponsor, Committee on Health Care & Wellness: Concerning prescription labels for medications used for abortion. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Assistant Ranking Member; Holy and Padden.

2024 REGULAR SESSION

Referred to Committee on Rules for second reading.

February 15, 2024

SHB 2136 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning prevailing wage sanctions, penalties, and debarment. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 15, 2024

HB 2137 Prime Sponsor, Representative Berg: Concerning technical changes to allowable exemptions for tourism promotion area assessments. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 15, 2024

SHB 2147 Prime Sponsor, Committee on Appropriations: Concerning agriculture pest and disease response. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 15, 2024

SHB 2156 Prime Sponsor, Committee on Consumer Protection & Business: Providing solar consumer protections. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 15, 2024

SHB 2165 Prime Sponsor, Committee on Agriculture & Natural Resources: Concerning the authority of the department of natural resources to determine recreational use fees for activities on agency-managed public lands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 15, 2024

SHB 2226 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning collecting data on the H-2A worker program and from certain hand harvesters. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 15, 2024

HB 2260 Prime Sponsor, Representative Waters: Establishing civil penalties for the unlawful sale or supply of alcohol to minors. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 16, 2024

SHB 2295 Prime Sponsor, Committee on Health Care & Wellness: Concerning hospital at-home services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 15, 2024

SHB 2296 Prime Sponsor, Committee on Local Government: Extending the comprehensive plan revision schedule for select local governments. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Short.

Referred to Committee on Rules for second reading.

February 16, 2024

ESHB 2321 Prime Sponsor, Committee on Housing: Modifying middle housing requirements and the definitions of transit stop. Reported by Committee on Housing

FORTY THIRD DAY, FEBRUARY 19, 2024

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J..

Referred to Committee on Rules for second reading.

February 16, 2024

SHB 2355 Prime Sponsor, Committee on Health Care & Wellness: Establishing a primary certification process for magnetic resonance imaging technologists. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 16, 2024

HB 2375 Prime Sponsor, Representative Goehner: Including an accessory dwelling unit under property that qualifies for the senior citizens property tax exemption. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

February 15, 2024

ESHB 2482 Prime Sponsor, Committee on Finance: Reinstating semiconductor tax incentives. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6317 by Senator Fortunato

AN ACT Relating to a new proposal to promote housing affordability by incentivizing the construction of American dream homes; adding a new section to chapter 36.70A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 84.36 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

The Vice President Pro Tempore assumed the chair, Senator Lovick presiding.

MOTION

Senator Nobles moved adoption of the following resolution:

SENATE RESOLUTION

8672

By Senators Nobles, Liias, Nguyen, Saldaña, Valdez, Hasegawa, Shewmake, Salomon, J. Wilson, Lovelett, Dhingra, Stanford, Keiser, Wellman, Hunt, Kuderer, Pedersen, Frame, Robinson, Rivers, Billig, Boehnke, Lovick, Wagoner, Mullet, Kauffman, Holy, Trudeau, Hansen, and Cleveland

WHEREAS, Carter G. Woodson and Jesse E. Moorland founded the organization, Study of Negro Life and History, dedicating the association to research and promote achievements by Black people; and

WHEREAS, It was the organization, Study of Negro Life and History, that sponsored the Negro History Week in 1926; to honor the achievements and lives of Black people; and

WHEREAS, In 1976, the Negro History Week evolved into the Black History Month to honor the contributions and accomplishments of Black people in every area of endeavor in our history; and

WHEREAS, It was Carter G. Woodson's hope that by celebrating this month we could celebrate heroic Black figures, whether they were inventors, soldiers, or entertainers, to preserve Black history; and

WHEREAS, Martha Jones became the first Black woman to receive a patent for her application for "Improvement to the Corn Husker Sheller" in 1868, just three years after the passage of the 13th Amendment; and

WHEREAS, Ida B. Wells, an activist and investigative journalist who documented and reported the horrors of lynching post-Civil War, she was one of the founders of the National Association for the Advancement of Colored People (NAACP), Wells was a civil rights pioneer and she did not allow herself to be silenced, even though she faced threats, lost property, and endured criticism; and

WHEREAS, At the tender age of six, Ruby Bridges advanced the cause of civil rights in 1960 when she became the first Black student to integrate elementary school in the American South; she then went on to graduate from a desegregated high school, became a traveler, married, and had four sons, Bridges was a

lifelong activist for racial equity, and in 1999, Bridges established the Ruby Bridges Foundation to promote tolerance and create change through education; and

WHEREAS, Shirley Chisholm became the first Black woman elected to Congress in 1968, where she worked on the Education and Labor Committee and helped form the Black Caucus, and she made history again in 1972 when she became the first Black woman of a major party to run for a presidential nomination; and

WHEREAS, Nina Simone was one of the most extraordinary artists of the twentieth century and an icon of American music; Simone was a singer, songwriter, pianist, and civil rights activist who spoke out about the Black freedom struggle, her albums covered a wide range of styles and included both politically motivated songs and reimaginings of popular songs; and

WHEREAS, Audre Lorde, who said, "while we wait in silence for that final luxury of fearlessness, the weight of that silence will choke us," used her writing to shine a light on her experiences as a Black lesbian, a mother, and person battling cancer, she was one of the founding members of the Sisterhood in Support of Sisters in South Africa who advocated on behalf of women living under the Apartheid; and

WHEREAS, Mae Jemison entered orbit aboard the space shuttle Endeavour in 1992, becoming the first Black woman in space, where she orbited Earth 127 times, she also trained as a medical doctor and engineer who frequently speaks to students and encourages women and people of the global majority to enter math and science; and

WHEREAS, In 1993, Rosa Franklin was the first Black woman to serve as a Washington State Senator, winning reelection three times; during her term, she established the Governor's Interagency Council on Health Disparities and the Washington Housing Policy Act, from being a nurse and volunteer to a long-time politician, Franklin has been deeply involved in service and community work;

NOW, THEREFORE, BE IT RESOLVED, That this Black History Month, we honor and celebrate Black people's contributions to our state and country; let us remember how far we have come and that the work continues.

Senators Nobles, Wellman, Fortunato, Conway and Short spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8672.

The motion by Senator Nobles carried and the resolution was adopted by voice vote.

The President reassumed the chair. Lt. Governor Heck presiding.

MOTION

Senator Lovick moved adoption of the following resolution:

SENATE RESOLUTION
8671

By Senators Lovick, Cleveland, Valdez, Rivers, Keiser, Van De Wege, Kuderer, Holy, Wellman, Nobles, Hasegawa, Trudeau, Mullet, Saldaña, Hunt, Shewmake, Pedersen, Robinson, Boehnke, Kauffman, Lovelett, Fortunato, and Salomon

WHEREAS, The enactment of the Civil Rights Act of 1964 stands as one of the most important legislative achievements in American history and a defining milestone of our nation's ongoing fight for racial justice and equity; and

WHEREAS, 2024 marks the 60th anniversary of the Civil Rights Act, today we commemorate this law which has transformed the fabric of our nation by prohibiting discrimination on the basis of race, color, religion, sex, or national origin, and facilitated the desegregation of schools and other public facilities; and

WHEREAS, The progress of civil rights and racial justice since the Act's passage has been a journey of resilience, inviting us to celebrate the successes and honor the hardships and sacrifices that have paved the way to a more just society; and

WHEREAS, Acknowledging the ongoing fight for civil rights allows us to honor the leaders and citizens whose sacrifice has created significant progress in the pursuit of justice, while recognizing that there is more work ahead on the road towards a more racially just United States of America; and

WHEREAS, Confronted with bigotry, fear, and hatred, the bravery of these champions for civil rights stirred our Nation's moral conscience; and

WHEREAS, The Civil Rights Act has demonstrated the profound ability of legislation to foster lasting change, paving the way for further laws that strengthened voting rights and established fair housing standards for all Americans; and

WHEREAS, Building on the remarkable achievements of figures like Dr. Martin Luther King Jr., Congressman John Lewis, Justice Thurgood Marshall, and Rosa Parks, the journey towards fully securing life, liberty, and the pursuit of happiness for every individual continues, underscoring the necessity of ongoing efforts to achieve our ideals of equality and justice for all; and

WHEREAS, During the inauguration of the Smithsonian National Museum of African American History and Culture in September 2016, former President George W. Bush remarked, "A great nation does not hide its history. It faces its flaws and corrects them."; and

WHEREAS, The passage of the Civil Rights Act represented a turning point in the United States' history of racism and bigotry, and illuminated the path forward in our ongoing quest for justice and equality, highlighting the importance of vigilance, advocacy, and proactive legislative efforts to forge a society that reflects our highest ideals of fairness and inclusivity; and

WHEREAS, Civil rights are not assumed freedoms but require continued solidarity and participation in the democratic process, that with unwavering resolve and a collective aim, those devoted to their country can create change;

NOW, THEREFORE, BE IT RESOLVED, That the Senate, recognizing the transformative significance of the Civil Rights Act of 1964, commit to celebrating its enduring legacy by urging all citizens of our state to stand firm in the fight against racism in all its forms and to work diligently towards crafting a society where every person is afforded equality, dignity, and the right to fair treatment under the law, thus advancing our collective journey toward a more just and inclusive union.

Senator Lovick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8671.

The motion by Senator Lovick carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President recognized and welcomed all the children and grandchildren of the senators and staff who were present on the floor and in the galleries in celebration of Children's Day.

The President further recognized representatives of the General Assembly of the South Korean independent state of Jeonbuk:

FORTY THIRD DAY, FEBRUARY 19, 2024

Chairperson Kook Ju-yeong-eun; Vice-Chairperson Lee Jeong-rin; Vice-Chairperson Kim Man-gi; and Chairman of the Environmental Welfare Committee Lee Byung-chul and other delegation members who were seated in the gallery.

The Senate rose in recognition of the officers and representatives from the Jeonbuk General Assembly and other dignitaries and friends of Jeonbuk, South Korea.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1895, by Representatives Thai, Connors, Corry, Ryu, Ortiz-Self, Ramel, Ormsby, Doglio, Fosse, Orwall, Paul, Reeves, Lekanoff, Tharinger, and Riccelli

Modifying the working families' tax credit by clarifying the refundable nature of the credit, the application requirements, and the eligibility verification process.

The measure was read the second time.

MOTION

On motion of Senator Nguyen, the rules were suspended, House Bill No. 1895 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen, Wilson, L. and Frame spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senators Dhingra and Liias were excused.

The President declared the question before the Senate to be the final passage of House Bill No. 1895.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1895 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 1895, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1950, by Representatives Slatter, Ybarra, Reed, Jacobsen, Pollet, Leavitt, Ortiz-Self, Ramos, Morgan, Simmons, Ormsby, Callan, Street, Paul, Goodman, Thai, Lekanoff, Reeves, and Riccelli

Concerning the public service loan forgiveness program.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, House Bill No. 1950 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1950.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1950 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 1950, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Heck: "Before receiving the motion to adjourn, the president would like to add something he failed to mention earlier which is that this delegation from Jeonbuk is special in another way. They represent that state in South Korea which is one of only three formalized sister-state relations that Washington state has around the world. All the more reason for us to welcome them here today."

The Senate again rose in recognition of the delegation from Jeonbuk, South Korea.

MOTION

At 1:09 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, February 20, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
 Tuesday, February 20, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the standing committees were granted special leave to continue to meet during the day’s floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 19, 2024

SB 5949 Prime Sponsor, Senator Mullet: Concerning the capital budget. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5949 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2024

ESHB 1097 Prime Sponsor, Committee on Consumer Protection & Business: Concerning the sale of cosmetics tested on animals. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 19, 2024

HB 1226 Prime Sponsor, Representative Chapman: Providing for recreational licensing of smelt, crawfish, and carp. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 1453 Prime Sponsor, Committee on Finance: Providing a tax exemption for medical cannabis patients. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; MacEwen and Schoesler.

Referred to Committee on Ways & Means.

February 19, 2024

HB 1752 Prime Sponsor, Representative Dye: Modifying the application of the annual consumptive quantity calculation to change applications related to certain water rights held by the United States bureau of reclamation. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Short; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Stanford.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 1818 Prime Sponsor, Committee on Finance: Concerning the exclusion of compensating tax when land is sold to a governmental entity intending to manage the land similarly to designated forestland or timberland. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 1870 Prime Sponsor, Committee on Appropriations: Promoting economic development by increasing opportunities for local communities to secure federal funding. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

February 19, 2024

FORTY FOURTH DAY, FEBRUARY 20, 2024

ESHB 1893 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning unemployment insurance benefits for striking or lockout workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 19, 2024

HB 1898 Prime Sponsor, Representative Schmidt: Concerning unemployment insurance benefit charging. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 19, 2024

HB 1901 Prime Sponsor, Representative Springer: Removing the sunset on changes to the unemployment insurance voluntary contribution program. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 1919 Prime Sponsor, Committee on Agriculture & Natural Resources: Modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 1982 Prime Sponsor, Representative Waters: Concerning the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

February 20, 2024

E2SHB 2000 Prime Sponsor, Committee on Appropriations: Renewing Washington's international leadership. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Gildon; Hasegawa; Lovick and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke and MacEwen.

Referred to Committee on Rules for second reading.

February 16, 2024

SHB 2012 Prime Sponsor, Committee on Finance: Concerning eligibility for a property tax exemption for nonprofits providing affordable rental housing built with city and county funds. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Ranking Member; Braun; Gildon and Wilson, J..

Referred to Committee on Ways & Means.

February 19, 2024

SHB 2045 Prime Sponsor, Committee on Agriculture & Natural Resources: Creating an adopt a fish barrier program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 2061 Prime Sponsor, Committee on Labor & Workplace Standards: Defining an employee of a health care facility for purposes of mandatory overtime provisions. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 2097 Prime Sponsor, Committee on Labor & Workplace Standards: Assisting workers in recovering wages owed. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 2127 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning workers' compensation incentives to return to work. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 19, 2024

ESHB 2153 Prime Sponsor, Committee on Consumer Protection & Business: Deterring the theft of catalytic converters. Reported by Committee on Law & Justice

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Transportation.

February 19, 2024

SHB 2195 Prime Sponsor, Committee on Capital Budget: Strengthening the early learning facilities grant and loan program by revising criteria and providing resources to the Ruth LeCocq Kagi early learning facilities development account. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

Referred to Committee on Ways & Means.

February 19, 2024

EHB 2266 Prime Sponsor, Representative Stonier: Concerning sanitary conditions for construction workers who menstruate or express milk. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 16, 2024

2SHB 2270 Prime Sponsor, Committee on Appropriations: Creating a Washington state department of housing. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon and Wilson, J.

Referred to Committee on Ways & Means.

February 19, 2024

SHB 2293 Prime Sponsor, Committee on Agriculture & Natural Resources: Studying the effects of avian predation of salmon. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 19, 2024

2SHB 2320 Prime Sponsor, Committee on Appropriations: Concerning high THC cannabis products. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen; MacEwen and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and Schoesler.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 2329 Prime Sponsor, Committee on Consumer Protection & Business: Conducting a study of the insurance market for housing providers receiving housing trust fund resources. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

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February 19, 2024

ESHB 2330 Prime Sponsor, Committee on Consumer Protection & Business: Addressing wildfire protection and mitigation. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 19, 2024

ESHB 2331 Prime Sponsor, Committee on Education: Modifying requirements for public school instructional and supplemental instructional materials. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Mullet.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 2382 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning death benefits applicable to drivers of transportation network companies. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 2424 Prime Sponsor, Committee on Agriculture & Natural Resources: Updating cooperative agreements between the state and federally recognized tribes for the successful collaborative management of Washington's wildlife resources. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 20, 2024

MR. PRESIDENT:

The Speaker has signed:

HOUSE BILL NO. 1895,
HOUSE BILL NO. 1950,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTIONS

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Gildon moved adoption of the following resolution:

SENATE RESOLUTION
8675

By Senator Gildon

WHEREAS, For 91 years the annual Daffodil Festival has been a cherished tradition for the people of Pierce County; and

WHEREAS, The Daffodil Festival has been an anticipated event that continues to bring communities together to celebrate unity within our diverse community; and

WHEREAS, Since its inception in the 1920s as a modest garden party, it has grown into the festival that we all know and love today and this year celebrates its 91st anniversary; and

WHEREAS, Each year, 24 young women pass through a rigorous selection process to represent their schools as well as Pierce County communities through ambassadorship, community service, and civic pride; and

WHEREAS, Members of the Daffodil Festival royal court serve as role models for youth around our region. Their volunteerism, civic responsibility, and willingness to be ambassadors for Pierce County serve as a light for youth to look up to; and

WHEREAS, This year's Daffodil Festival royal court includes: Addie Fowler, Bonney Lake High School; Addison Muse, Stadium High School; Addison Ogden, Emerald Ridge High School; Alejandra Gonzalez, Puyallup High School; Amanda Peterson, Lincoln High School; Chai Hill, Clover Park High School; Faletele Moliga, Mount Tahoma High School; Hannah Zaragoza, Eatonville High School; Kaylie Dickerson, Graham-Kapowsin High School; Kemoni Brouillard, Washington High School; Kendra Hemmen, White River High School; Khushi Verma, Spanaway Lake High School; Leilani Campos-Ramos, Harrison Prep High School; Lillian Bagley, Franklin Pierce High School; Lillian Ecklund, Curtis High School; Maria Cortez, Foss High School; Mikayla Jeffries, Orting High School; Olivia Ballard, Fife High School; Patricia Page, Lakes High School; Rejae Williams, Rogers High School; Shelby-Lynn Jacobson-Harkin, Bethel High School; Siana Farina, Silas High School; Taiah Mitchell, Chief Leschi High School; and Zoe Roberts, Sumner High School;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor the many

contributions made to our state by the Daffodil Festival, its organizers, and its royal court for the past 91 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the 2024 Daffodil Festival officers and to the 24 members of the 2024 Daffodil Festival royalty.

Senators Gildon and Pedersen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8675.

The motion by Senator Gildon carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the 2024 Daffodil Festival Princesses who were seated in the gallery.

MOTION

Senator Hawkins moved adoption of the following resolution:

SENATE RESOLUTION
8651

By Senator Hawkins

WHEREAS, It is the practice of the Washington State Senate to recognize excellence in every field and endeavor; and

WHEREAS, For the first time in 40 years, the Wenatchee High School Panthers are the 2023 4A WIAA Volleyball Champions; and

WHEREAS, The Wenatchee High School Girls Volleyball Team won their final match against North Creek High School on November 28, 2023, by a score of 3-2, earning the second volleyball state championship in Wenatchee High School history; and

WHEREAS, The Wenatchee High School Girls Volleyball Team finished the season with 19 wins and one loss; and

WHEREAS, First-year Head Coach, Jordan McGregor-Hansen, Assistant Coaches, Juan Sanchez, Emily Ervin, Michaela Sheehan, and Parker Iverson, and all the Panther players, Ava Jo Berry, Breven Luinstra, Journey Jelsing, Jenissa Hepton, Keira Demirjian, Emme Tucker, Bri Sackman, Jess McIrvin, Sasha Dandridge, Rylee Jones, Claire Demirjian, Nikki Reed, Jalyne Rasmussen, Sienna Knell, and Maren Stubershare in the team's success by combining outstanding coaching with outstanding sportsmanship; and

WHEREAS, The inspiring individual and team achievements of the 2023 Wenatchee High School Panthers Girls Volleyball Team will always be remembered as a source of great pride by all the citizens of their community and the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate hereby congratulate the Wenatchee High School Girls Volleyball Team for their outstanding state championship; and

BE IT FURTHER RESOLVED, That the Washington State Senate commend the Wenatchee High School Girls Volleyball Team for their excellent performance and look forward to their future accomplishments both on and off the court.

Senator Hawkins spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8651.

The motion by Senator Hawkins carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the Wenatchee High School Girls Volleyball Team members; Head Coach Jordan McGregor-Hansen; Athletic Director Jim Beeson; and representatives of the Washington Interscholastic Activities Association who were seated in the gallery.

MOTION

Senator Pedersen moved adoption of the following resolution:

SENATE RESOLUTION
8678

By Senator Shewmake

WHEREAS, In November of 2021, the Nooksack River saw historic flooding that devastated parts of Whatcom County and took a life; and

WHEREAS, Whatcom County and the greater community came together to save lives during the flood, rebuild lives in the aftermath, and are continuing a longer project to build a safer and more resilient Whatcom County; and

WHEREAS, Community members, local mayors, first responders, and farmers rescued flood victims from imminent harm by calling their neighbors and using all the available resources including personal vehicles and equipment; and

WHEREAS, Whatcom Strong, later becoming Whatcom Long Term Recovery Group, partnered with the Whatcom Community Foundation, Sustainable Connections, local faith groups including Sumas Advent Christian Church, Valley Church, Haven Church, Sumas Christian Reform Church, Sunlight Church, Guru Nanak Gursikh Gurdwara, Gurdwara Guru Nanak, North County Christ the King, Calvary Creekside, Habitat for Humanity, World Renew, Samaritans Purse, Team Rubicon, UMCOR, Everson Lions Club, Lynden Lions Club, Sumas American Legion Post 212, Everson Food Bank, and local businesses and restaurants and individuals, to remove debris, feed flood victims and work party volunteers, and provide clothing donations, diapers, household items, and other necessities for those who lost their homes; and

WHEREAS, The Whatcom County River and Flood Division has repaired flood infrastructure and developed an acquisition and elevation program to help get vulnerable structures out of harm's way, and acquired properties needed for future flood risk, obtaining \$34.4 million in federal funding and is currently pursuing an additional \$50.8 million in federal funding; and

WHEREAS, The Floodplain Integrated Planning Flow Split Reach Team is continuing and accelerating their collaborative work to identify integrated options for addressing the flow split in Everson by bringing together Whatcom County, the Nooksack Indian Tribe, the Lummi Nation, the City of Everson, the City of Ferndale, the City of Lynden, the City of Sumas, the Nooksack River farm community, diking districts, subzones, Watershed Improvement Districts, the Washington state Department of Ecology, the Washington state Department of Natural Resources, the National Marine Fisheries Service, the Federal Emergency Management Agency, the United States Army Corps of Engineers, the Trans Mountain Pipeline, the University of Washington Climate Impacts Groups, and private consultants; and

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WHEREAS, The Whatcom County River and Flood Division executed The Nooksack River Flood Disaster Mitigation Plan Agreement, signed by the Whatcom County Executive and the Mayors of Blaine, Everson, Ferndale, Lynden, and Sumas; and

WHEREAS, The ongoing flood recovery and mitigation work in Whatcom County would not be possible without the commitment and collaboration of local elected officials, public servants, and community members who devote their time, talents, and love to Whatcom County;

NOW, THEREFORE, BE IT RESOLVED, That the Senate express its gratitude to the Whatcom County River and Flood Division, the Whatcom Long Term Recovery Group, and the greater community for their tireless recovery and mitigation work on behalf of the people of Whatcom County.

Senator Pedersen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8678.

The motion by Senator Pedersen carried and the resolution was adopted by voice vote.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1895
and HOUSE BILL NO. 1950.

MOTION

At 12:45 p.m., on motion of Senator Pedersen, the Senate adjourned until 1:30 p.m. Wednesday, February 21, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY FIFTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Wednesday, February 21, 2024

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Elizabeth Roane and Miss Jessica Luo, presented the Colors.

Page Miss Sanika Kabbur led the Senate in the Pledge of Allegiance.

Miss Sharn Kaur, Sikh, Youth Leader from Khalsa Gurmat Center of Federal Way and guest of Senator Dhingra, offered the prayer.

MOTIONS

On motion of Senator Pedersen the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 20, 2024

SHB 1012 Prime Sponsor, Committee on Appropriations: Addressing the response to extreme weather events. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member and Dozier.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 1105 Prime Sponsor, Committee on State Government & Tribal Relations: Requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 19, 2024

HB 1153 Prime Sponsor, Representative Peterson: Prohibiting octopus farming. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Liias; Shewmake and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Ranking Member; Short; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 20, 2024

E2SHB 1185 Prime Sponsor, Committee on Environment & Energy: Reducing environmental impacts associated with lighting products. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Rules for second reading.

February 20, 2024

2SHB 1205 Prime Sponsor, Committee on Appropriations: Responsibility for providing service by publication of a summons or notice in dependency and termination of parental rights cases. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

E2SHB 1272 Prime Sponsor, Committee on Appropriations: Concerning publishing, formatting, and distribution of the state and local voters' pamphlets. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

February 21, 2024

2ESHB 1282 Prime Sponsor, Committee on Capital Budget: Requiring environmental and labor reporting for public

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building construction and renovation material. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

February 20, 2024

ESHB 1300 Prime Sponsor, Committee on Appropriations: Concerning fraud in assisted reproduction. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

2ESHB 1362 Prime Sponsor, Committee on State Government & Tribal Relations: Improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier and Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 21, 2024

E3SHB 1433 Prime Sponsor, Committee on Environment & Energy: Concerning energy labeling of residential buildings. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Rules for second reading.

February 20, 2024

EHB 1468 Prime Sponsor, Representative Goehner: Concerning impact fee deferrals. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 1471 Prime Sponsor, Representative Stearns: Modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 20, 2024

ESHB 1510 Prime Sponsor, Committee on Finance: Establishing permanent funding for community preservation and development authorities approved through RCW 43.167.060. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres, Ranking Member.

Referred to Committee on Ways & Means.

February 20, 2024

2E2SHB 1541 Prime Sponsor, Committee on Appropriations: Establishing the nothing about us without us act. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

February 20, 2024

3SHB 1579 Prime Sponsor, Committee on Appropriations: Establishing a mechanism for independent prosecutions within the office of the attorney general of criminal conduct arising from police use of force. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Ways & Means.

February 20, 2024
HB 1635 Prime Sponsor, Representative Mosbrucker: Limiting liability arising from the use of trained police dogs. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

February 20, 2024
E2SHB 1692 Prime Sponsor, Committee on State Government & Tribal Relations: Creating student advisory groups. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Dozier and Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J., Ranking Member.

Referred to Committee on Ways & Means.

February 20, 2024
HB 1726 Prime Sponsor, Representative Bronoske: Concerning the director of fire protection's administration and reimbursement of fire service-related training programs. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 20, 2024
ESHB 1835 Prime Sponsor, Committee on Innovation, Community & Economic Development, & Veterans: Defining frontier counties. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 20, 2024
SHB 1851 Prime Sponsor, Committee on Appropriations: Implementing the first approach skills training program. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 20, 2024
HB 1876 Prime Sponsor, Representative Springer: Concerning confidential fisheries information collected by other states and maintaining that confidentiality under the public records act. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

February 20, 2024
2SHB 1877 Prime Sponsor, Committee on Appropriations: Improving the Washington state behavioral health system for better coordination and recognition with the Indian behavioral health system. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 20, 2024
SHB 1880 Prime Sponsor, Committee on Consumer Protection & Business: Concerning architecture licensing examinations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 20, 2024
SHB 1889 Prime Sponsor, Committee on Consumer Protection & Business: Allowing persons to receive professional licenses and certifications regardless of immigration or citizenship status. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Rules for second reading.

FORTY FIFTH DAY, FEBRUARY 21, 2024

E2SHB 1899 Prime Sponsor, Committee on Appropriations: Facilitating reconstruction of communities damaged or destroyed by wildfires. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 1903 Prime Sponsor, Committee on Civil Rights & Judiciary: Reporting lost or stolen firearms. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 1911 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning activities in which the office of public defense may engage without violating the prohibition on providing direct representation of clients. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Torres and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 1924 Prime Sponsor, Committee on Environment & Energy: Promoting the integration of fusion technology within state clean energy policies. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2024

2SHB 1929 Prime Sponsor, Committee on Appropriations: Supporting young adults following inpatient behavioral health treatment. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 20, 2024

ESHB 1932 Prime Sponsor, Committee on State Government & Tribal Relations: Shifting general elections for local governments to even-numbered years to increase voter participation. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules.

February 20, 2024

2SHB 1941 Prime Sponsor, Committee on Appropriations: Providing for health home services for medicaid-eligible children with medically complex conditions. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 1942 Prime Sponsor, Committee on Labor & Workplace Standards: Clarifying employment standards for long-term care individual providers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Ways & Means.

February 21, 2024

HB 1943 Prime Sponsor, Representative Leavitt: Modifying the Washington national guard postsecondary education grant program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

2024 REGULAR SESSION

February 21, 2024
HB 1946 Prime Sponsor, Representative Eslick: Creating the Washington health corps behavioral health scholarship program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

February 20, 2024
SHB 1947 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning the governance of technology services in state government, including eliminating the office of the chief information officer and renaming the consolidated technology services agency. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2024
HB 1948 Prime Sponsor, Representative Ybarra: Ensuring that methods for calculating the electric load of utilities under the energy independence act do not have the effect of discouraging voluntary investments in renewable power. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2024
HB 1955 Prime Sponsor, Representative Barnard: Repealing the greenhouse gas content disclosure provision. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2024
ESHB 1957 Prime Sponsor, Committee on Health Care & Wellness: Preserving coverage of preventive services without cost sharing. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 1958 Prime Sponsor, Representative Berry: Concerning nonconsensual removal of or tampering with a sexually protective device. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators McCune and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 20, 2024
HB 1961 Prime Sponsor, Representative Low: Concerning animal cruelty in the first degree. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024
HB 1962 Prime Sponsor, Representative Low: Improving voter registration list accuracy by improving voter address change processes for county election offices and voters. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 20, 2024
SHB 1970 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Improving communication between the department of children, youth, and families and caregivers. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 20, 2024
SHB 1974 Prime Sponsor, Committee on Civil Rights & Judiciary: Disposing of human remains. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

FORTY FIFTH DAY, FEBRUARY 21, 2024

February 20, 2024

HB 1976 Prime Sponsor, Representative Fosse: Changing the incentive structure for tier 1 and tier 2 buildings. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 20, 2024

HB 1978 Prime Sponsor, Representative Rule: Adding special purpose and junior taxing districts to the intrastate mutual aid system. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 1979 Prime Sponsor, Committee on Health Care & Wellness: Reducing the cost of inhalers and epinephrine autoinjectors. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 1987 Prime Sponsor, Representative Low: Concerning the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 1996 Prime Sponsor, Committee on Consumer Protection & Business: Establishing the Washington recreational vehicle manufacturer and dealer law. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 19, 2024

SHB 1997 Prime Sponsor, Committee on Innovation, Community & Economic Development, & Veterans: Concerning

gubernatorial appointments for the state parks and recreation commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Lias and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Short; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 1999 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning fabricated intimate or sexually explicit images and depictions. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

February 21, 2024

HB 2004 Prime Sponsor, Representative McEntire: Providing early registration at institutions of higher education for military students. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2007 Prime Sponsor, Committee on Appropriations: Expanding time limit exemptions applicable to cash assistance programs. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 20, 2024

2SHB 2014 Prime Sponsor, Committee on Appropriations: Concerning the definition of veteran and restoring honor to veterans. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

February 21, 2024

ESHB 2019 Prime Sponsor, Committee on Appropriations: Establishing a Native American apprentice assistance program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 2020 Prime Sponsor, Committee on Innovation, Community & Economic Development, & Veterans: Creating a state administered public infrastructure assistance program within the emergency management division. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

February 20, 2024

ESHB 2021 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the disposition of privately owned firearms in the custody of state or local government entities or law enforcement agencies. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 21, 2024

SHB 2025 Prime Sponsor, Committee on Postsecondary Education & Workforce: Modifying placement and salary matching requirements for the state work-study program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 2032 Prime Sponsor, Representative Cheney: Reducing the size of yard signs that are exempt from certain political advertising disclosure requirements. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member and Dozier.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 2034 Prime Sponsor, Representative Cheney: Requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

ESHB 2041 Prime Sponsor, Representative Riccelli: Concerning physician assistant collaborative practice. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2048 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning supervision of domestic violence in criminal sentencing. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

E2SHB 2065 Prime Sponsor, Committee on Appropriations: Recalculating sentencing ranges for currently incarcerated individuals whose offender score was increased by juvenile convictions. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

FORTY FIFTH DAY, FEBRUARY 21, 2024

Referred to Committee on Ways & Means.

February 20, 2024

SHB 2069 Prime Sponsor, Committee on Environment & Energy: Concerning the sale of biogenic carbon dioxide and other coproducts of biogas processing. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2024

2SHB 2071 Prime Sponsor, Committee on Appropriations: Concerning residential housing regulations. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Kauffman and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres, Ranking Member.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2072 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning penalties relating to antitrust actions. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Torres; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2075 Prime Sponsor, Committee on Health Care & Wellness: Concerning licensing of Indian health care providers as establishments. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 20, 2024

2SHB 2084 Prime Sponsor, Committee on Appropriations: Establishing an oversight committee to improve construction-related training and pathways to state registered

apprenticeships in state correctional facilities. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 2086 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Updating processes of the office of independent investigations by changing authority to obtain and share investigative information and aligning with current operations and practices. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Torres; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

February 20, 2024

EHB 2088 Prime Sponsor, Representative Orwall: Extending liability protections for responders dispatched from mobile rapid response crisis teams and community-based crisis teams. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2091 Prime Sponsor, Committee on State Government & Tribal Relations: Establishing a fallen firefighter memorial. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 2102 Prime Sponsor, Committee on Health Care & Wellness: Establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member;

Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 21, 2024

2SHB 2112 Prime Sponsor, Committee on Appropriations: Concerning opioid and fentanyl prevention education and awareness at institutions of higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

February 20, 2024

ESHB 2118 Prime Sponsor, Committee on Civil Rights & Judiciary: Protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

E2SHB 2128 Prime Sponsor, Committee on Appropriations: Concerning the modernization of the certificate of need program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 20, 2024

ESHB 2131 Prime Sponsor, Committee on Environment & Energy: Promoting the establishment of thermal energy networks. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Boehnke.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Ways & Means.

HB 2135 Prime Sponsor, Representative Stearns: Including federally recognized tribes as part of the Washington emergency management division emergency worker program. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 20, 2024

2SHB 2151 Prime Sponsor, Committee on Appropriations: Reassigning the accreditation of private cannabis testing laboratories from the department of ecology to the department of agriculture. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 20, 2024

E2SHB 2160 Prime Sponsor, Committee on Capital Budget: Promoting community and transit-oriented housing development. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: Do not pass. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Ways & Means.

February 21, 2024

EHB 2199 Prime Sponsor, Representative Orcutt: Creating business and occupation and public utility tax exemptions for certain amounts received as the result of receipt, generation, purchase, sale, transfer, or retirement of allowances, offset credits, or price ceiling units under the climate commitment act. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 20, 2024

HB 2204 Prime Sponsor, Representative Waters: Creating a special liquor permit. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen; Schoesler and Stanford.

FORTY FIFTH DAY, FEBRUARY 21, 2024

Referred to Committee on Rules for second reading.

February 21, 2024

ESHB 2207 Prime Sponsor, Committee on Environment & Energy: Providing tools designed to reduce the impacts of unlawful solid waste dumping. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 20, 2024

HB 2209 Prime Sponsor, Representative Thai: Celebrating lunar new year. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier and Fortunato.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 2210 Prime Sponsor, Representative Dye: Establishing a wild horse holding and training program at a state corrections center. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Boehnke, Ranking Member; Warnick and Wilson, J.

MINORITY recommendation: Do not pass. Signed by Senators Kauffman, Vice Chair; Frame and Nguyen.

Referred to Committee on Rules.

February 20, 2024

HB 2213 Prime Sponsor, Representative Cheney: Concerning defects and omissions in the laws that have been identified by the justices of the supreme court or judges of the superior courts pursuant to Article IV, section 25 of the state Constitution. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres.

Referred to Committee on Rules for second reading.

February 21, 2024

2SHB 2214 Prime Sponsor, Committee on Appropriations: Permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair and Randall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 2216 Prime Sponsor, Committee on State Government & Tribal Relations: Reducing barriers to state employment by eliminating two-year and four-year degree requirements that are unnecessary. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2217 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Concerning authority over individuals found guilty of or accused of criminal offenses that occurred when the individual was under age 18. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2224 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Incorporating a risks, strengths, and needs assessment tool in the risk assessment process when investigating alleged child abuse and neglect referrals. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2230 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Promoting economic

inclusion by creating the economic security for all grant program.
Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 2246 Prime Sponsor, Representative Bateman: Concerning vacation leave accrual for state employees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Hansen; MacEwen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

February 20, 2024

E2SHB 2247 Prime Sponsor, Committee on Appropriations: Addressing behavioral health provider shortages. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 2252 Prime Sponsor, Committee on Local Government: Allowing small business establishments in residential zones. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Torres, Ranking Member and Short.

MINORITY recommendation: Do not pass. Signed by Senators Salomon, Vice Chair and Kauffman.

Referred to Committee on Rules for second reading.

February 20, 2024

ESHB 2256 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Addressing the children and youth behavioral health work group. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J..

Referred to Committee on Rules for second reading.

February 20, 2024

HB 2257 Prime Sponsor, Representative Goehner: Supporting back country search and rescue organizations and volunteers through the creation of the back country search and rescue grant program. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

February 20, 2024

E2SHB 2301 Prime Sponsor, Committee on Appropriations: Improving the outcomes associated with waste material management systems, including products affecting organic material management systems. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

February 20, 2024

ESHB 2303 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Modifying conditions of community custody. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 20, 2024

E2SHB 2311 Prime Sponsor, Committee on Appropriations: Supporting first responder wellness and peer support. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 20, 2024

HB 2316 Prime Sponsor, Representative Couture: Concerning membership in the public employees' retirement system for certain part-time bus drivers employed full-time by the federal government. Reported by Committee on Ways & Means

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MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2347 Prime Sponsor, Committee on Health Care & Wellness: Concerning adult family home information. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 20, 2024

E2SHB 2354 Prime Sponsor, Committee on Finance: Creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction and clarifying that a tax increment area must be dissolved when all bond obligations are paid. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Ways & Means.

February 20, 2024

ESHB 2361 Prime Sponsor, Committee on Health Care & Wellness: Phasing in the requirement that only standardized health plans may be offered on the health benefit exchange. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member; Holy and Padden.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2368 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Assisting refugees and immigrants. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 20, 2024

SHB 2396 Prime Sponsor, Committee on Health Care & Wellness: Concerning fentanyl and other synthetic opioids. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 20, 2024

E2SHB 2401 Prime Sponsor, Committee on Appropriations: Providing for the responsible management of refrigerant gases with a higher global warming potential than carbon dioxide that are used in appliances or other infrastructure. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member and Boehnke.

MINORITY recommendation: Do not pass. Signed by Senator Short.

Referred to Committee on Ways & Means.

February 20, 2024

HB 2415 Prime Sponsor, Representative Cortes: Expanding economic assistance for individuals who are eligible for temporary assistance for needy families. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 2416 Prime Sponsor, Representative Graham: Changing the legal title for advanced practice nurses. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

2024 REGULAR SESSION

Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 21, 2024

SGA 9243 VICTORIA C. CHRISTIANSEN, appointed on August 22, 2022, for the term ending June 25, 2026, as Member of the Puget Sound Partnership Leadership Council. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 21, 2024

SGA 9305 DENNIS J. MCLERRAN, reappointed on June 10, 2022, for the term ending June 25, 2026, as Chair of the Puget Sound Partnership Leadership Council. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Rules for second reading.

February 20, 2024

SGA 9371 JEFFERY B. SWAN, appointed on August 3, 2023, for the term ending August 2, 2026, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 21, 2024

SGA 9387 DAVID HERRERA, appointed on August 24, 2023, for the term ending June 25, 2027, as Member of the Puget Sound Partnership Leadership Council. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2024

SGA 9439 BRIAN S. SMITH, appointed on December 19, 2023, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

February 20, 2024

SHB 2428 Prime Sponsor, Committee on Local Government: Allowing cities to voluntarily share certain sales and use tax revenue. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 20, 2024

HB 2433 Prime Sponsor, Representative Orcutt: Concerning administration of the southwest Washington fair by the Lewis county board of county commissioners. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 21, 2024

ESHB 2441 Prime Sponsor, Committee on Appropriations: Establishing a pilot program eliminating college in the high school fees for private not-for-profit four-year institutions. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

February 20, 2024

SHB 2467 Prime Sponsor, Committee on Health Care & Wellness: Increasing access to the long-term services and supports trust. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Hansen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

Referred to Committee on Rules for second reading.

February 21, 2024

SGA 9194 KATE DEAN, appointed on November 19, 2021, for the term ending June 25, 2025, as Member of the Puget Sound Partnership Leadership Council. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nguyen, Chair; Lovelett,

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MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2024

SGA 9446 KAZIPUTALIMBA JOSHUA, reappointed on January 19, 2024, for the term ending September 25, 2027, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 20, 2024

SGA 9450 RAMONA BRANDES, appointed on February 1, 2024, for the term ending August 2, 2026, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

February 20, 2024

SGA 9800 JANEL MCFEAT, appointed on January 3, 2024, for the term ending January 2, 2026, as Executive Director of the Washington Statewide Reentry Council. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Engrossed Substitute House Bill No. 1932 and House Bill No. 2210 which were designated to the Committee on Rules and referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Dhingra moved adoption of the following resolution:

SENATE RESOLUTION
8679

By Senators Dhingra, Billig, Saldaña, Boehnke, Valdez, C. Wilson, Nobles, Cleveland, Lovelett, Pedersen, Kuderer, Shewmake, Hasegawa, Wagoner, and Hansen

WHEREAS, The Washington State Senate recognize the invaluable contributions of Sikh Americans to the cultural, economic, and social fabric of our state; and

WHEREAS, Sikhs have a long and rich history in Washington State, with communities that have been integral to the development and prosperity of our region for over a century; and

WHEREAS, The principles of Sikhism, including equality, justice, and service to humanity, align closely with the values upon which our state and nation were founded; and

WHEREAS, Despite their significant contributions and unwavering commitment to our communities, Sikhs have often faced discrimination, harassment, and violence due to ignorance and prejudice; and

WHEREAS, One of the darkest chapters in this history occurred on September 4, 1907, when a mob in Bellingham targeted Sikh laborers, resulting in the infamous Bellingham Riots; and

WHEREAS, During these riots, Sikh workers were violently attacked, their homes and businesses vandalized, and many were forcibly expelled from the city, with some even facing death threats and physical harm; and

WHEREAS, The Bellingham Riots serve as a stark reminder of the dangers of xenophobia, racism, and bigotry, and highlight the importance of standing united against hate in all its forms; and

WHEREAS, It is essential that we remember and reflect upon this tragic event in our history to ensure that such injustices are never repeated and to reaffirm our commitment to building a more inclusive and equitable society for all;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and celebrate the contribution of Sikhs in Washington State and recognize their significant role in shaping our state's history and identity; and

BE IT FURTHER RESOLVED, That the Washington State Senate reaffirm its commitment to combatting discrimination, hatred, and violence against Sikhs and all marginalized communities, and to promoting diversity, inclusion, and understanding throughout our state.

Senators Dhingra and Kauffman spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8679.

The motion by Senator Dhingra carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members and representatives of the Washington Sikh community, including: Mr. Hira Singh; Mr. Sunny Singh; and Ms. Puneet Kaur as well as staff of The Sikh Coalition of New York, New York, all of whom were seated in the gallery.

The President further introduced The Honorable Patty Murray, U.S. Senator, and former State Senator, who was present in the wings.

MOTION

At 1:44 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the

purposes of receiving additional reports from the standing committees later in the day.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 3:04 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

On motion of Senator Pedersen, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 21, 2024

SHB 1044 Prime Sponsor, Committee on Capital Budget: Providing capital financial assistance to small school districts with demonstrated funding challenges. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; McCune; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hunt.

Referred to Committee on Ways & Means.

February 21, 2024

HB 1146 Prime Sponsor, Representative Paul: Notifying high school students and their families about available dual credit programs and any available financial assistance. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 21, 2024

3SHB 1228 Prime Sponsor, Committee on Appropriations: Building a multilingual, multiliterate Washington through dual and tribal language education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 21, 2024

E4SHB 1239 Prime Sponsor, Committee on Appropriations: Establishing a simple and uniform system for

complaints related to, and instituting a code of educator ethics for, conduct within or involving public elementary and secondary schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

February 21, 2024

ESHB 1248 Prime Sponsor, Committee on Appropriations: Concerning pupil transportation. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Mullet.

Referred to Committee on Ways & Means.

February 21, 2024

ESHB 1277 Prime Sponsor, Committee on Education: Improving the consistency and quality of the implementation of the fundamental course of study for paraeducators. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 21, 2024

E2SHB 1332 Prime Sponsor, Committee on Appropriations: Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Ways & Means.

February 21, 2024

E2SHB 1368 Prime Sponsor, Committee on Appropriations: Requiring and funding the purchase of zero

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emission school buses. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Dozier.

Referred to Committee on Ways & Means.

February 21, 2024

2ESHB 1377 Prime Sponsor, Committee on Education: Posting of approved courses and providers of continuing education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Dozier.

Referred to Committee on Ways & Means.

February 21, 2024

2SHB 1391 Prime Sponsor, Committee on Appropriations: Concerning energy in buildings. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

February 21, 2024

2SHB 1551 Prime Sponsor, Committee on Appropriations: Reducing lead in cookware. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 21, 2024

ESHB 1608 Prime Sponsor, Committee on Education: Expanding access to anaphylaxis medications in schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 21, 2024

EHB 1714 Prime Sponsor, Representative Stonier: Allowing school districts to apply for financial literacy education professional development grants. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 21, 2024

HB 1879 Prime Sponsor, Representative Lekanoff: Naming the curriculum used to inform students about tribal history, culture, and government after John McCoy (Iulilaš). Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 21, 2024

SHB 1915 Prime Sponsor, Committee on Education: Making financial education instruction a graduation prerequisite and a required component of public education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 21, 2024

SHB 1916 Prime Sponsor, Committee on Appropriations: Concerning funding for the early support for infants and toddlers program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 21, 2024

SHB 1945 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Streamlining and enhancing program access for persons eligible for food assistance. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 21, 2024
E2SHB 1956 Prime Sponsor, Committee on Appropriations: Addressing fentanyl and other substance use prevention education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 21, 2024
ESHB 2039 Prime Sponsor, Committee on Environment & Energy: Modifying the appeals process for environmental and land use matters. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovick; Short; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett, Vice Chair; MacEwen, Ranking Member and Boehnke.

Referred to Committee on Rules for second reading.

February 20, 2024
SHB 2056 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning information sharing and limited investigative authority of supreme court bailiffs. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 21, 2024
HB 2110 Prime Sponsor, Representative Nance: Reorganizing statutory requirements governing high school graduation. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 21, 2024
2SHB 2124 Prime Sponsor, Committee on Appropriations: Supporting and expanding access to child care

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 and early learning programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Dozier.

Referred to Committee on Ways & Means.

February 21, 2024
EHB 2164 Prime Sponsor, Representative Pollet: Providing postsecondary education consumer protections. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Holy, Ranking Member; Hawkins and Randall.

Referred to Committee on Ways & Means.

February 21, 2024
SHB 2180 Prime Sponsor, Committee on Appropriations: Increasing the special education enrollment funding cap. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 21, 2024
ESHB 2236 Prime Sponsor, Committee on Education: Expanding and strengthening career and technical education core plus programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 21, 2024
SHB 2335 Prime Sponsor, Committee on Education: Concerning state-tribal education compacts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

FORTY FIFTH DAY, FEBRUARY 21, 2024

February 21, 2024

SHB 2381 Prime Sponsor, Committee on Education: Increasing eligibility for economy and efficiency flexible school calendar waivers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; McCune; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hunt.

Referred to Committee on Rules for second reading.

February 21, 2024

ESHB 2494 Prime Sponsor, Committee on Appropriations: Increasing state funding for operating costs in schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

At 3:05 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Thursday, February 22, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, February 22, 2024

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Tim Healey and Miss Evangeline Morgan, presented the Colors.

Page Miss Joy Rurangwa led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Terry Murray of Unity of Olympia.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 21, 2024

SB 5950 Prime Sponsor, Senator Robinson: Making 2023-2025 fiscal biennium supplemental operating appropriations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5950 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres and Wagoner.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Standing Committee report was referred to the committee as designated.

On motion of Senator Pedersen, the Committee on Rules was relieved of Senate Bill No. 5950, making 2023-2025 fiscal biennium supplemental operating appropriations, and the bill was placed on the day's Second Reading Calendar; and for the purposes of Senate Rule No. 53, the bill was considered to have been placed on the Second Reading Calendar as of 9:05 a.m., Thursday, February 22.

EDITOR'S NOTE: Senate Rule 53 prohibits action on second reading of a budget bill until twenty-four hours after the bill has been on the second reading calendar.

MOTIONS

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8681

By Senator Liias

WHEREAS, Patty Rubstello began her career at the Washington State Department of Transportation (WSDOT) in 1990; and

WHEREAS, In 2002, Patty advocated for the I-405 corridor program as a traffic policy engineer; and

WHEREAS, In 2008, Patty spearheaded marketing and outreach for the SR 167 HOT project, which implemented "Good to Go!" all electronic tolling in Washington State; and

WHEREAS, Patty and team delivered "smarter highways" in 2010 that included automated traffic management systems; and

WHEREAS, In 2011 Patty and team implemented tolling on the SR 520 floating bridge; and

WHEREAS, Patty and team in 2015 implemented the I-405 express toll lanes between Bellevue and Lynnwood; and

WHEREAS, In 2015, Patty took over leadership of the toll division; and

WHEREAS, Patty created the Office of Urban Mobility and Access in 2017 and served as their assistant secretary; and

WHEREAS, In 2020 Patty was appointed as assistant secretary of WSDOT and head of Washington State Ferries (WSF), the largest ferry system in the country; and

WHEREAS, Patty showed dedication by attending night classes while working at WSF to finish her engineering degree; and

WHEREAS, As head of WSF, Patty went above and beyond for her employees, going so far as to attend the ordinary sailor training required of ferry operators in order to better understand what was expected of them; and

WHEREAS, Patty worked hard to address many of the issues WSF is facing including strengthening their workforce, increasing ferry reliability, and responding to the needs of local communities; and

WHEREAS, At every point in her career, Patty demonstrated exceptional commitment to public service; and

WHEREAS, After a remarkable 33 years at the Washington State Department of Transportation, Patty Rubstello has announced her retirement;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and congratulate Patty Rubstello for over three decades of outstanding service at the Department of Transportation.

Senators Liias and King spoke in favor of adoption of the resolution.

MOTION

FORTY SIXTH DAY, FEBRUARY 22, 2024

On motion of Senator Wilson, C., Senator Stanford was excused.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8681.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Patty Rubstello who was seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frame moved that Ed Zuckerman, Senate Gubernatorial Appointment No. 9017, be confirmed as a member of The Evergreen State College Board of Trustees.

Senators Frame and Hunt spoke in favor of passage of the motion.

MOTION

On motion of Senator Wagoner, Senator Rivers was excused.

APPOINTMENT OF ED ZUCKERMAN

The President declared the question before the Senate to be the confirmation of Ed Zuckerman, Senate Gubernatorial Appointment No. 9017, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Ed Zuckerman, Senate Gubernatorial Appointment No. 9017, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Ed Zuckerman, Senate Gubernatorial Appointment No. 9017, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Salomon moved that Eben Pobe, Senate Gubernatorial Appointment No. 9037, be confirmed as a member of the Shoreline Community College Board of Trustees.

Senator Salomon spoke in favor of the motion.

MOTION

On motion of Senator Nobles, Senator Liias was excused.

APPOINTMENT OF EBEN POBEE

The President declared the question before the Senate to be the confirmation of Eben Pobe, Senate Gubernatorial Appointment No. 9037, as a member of the Shoreline Community College Board of Trustees.

The Secretary called the roll on the confirmation of Eben Pobe, Senate Gubernatorial Appointment No. 9037, as a member of the Shoreline Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

Eben Pobe, Senate Gubernatorial Appointment No. 9037, having received the constitutional majority was declared confirmed as a member of the Shoreline Community College Board of Trustees.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1530, by Representatives Cortes, Mena, Simmons, Ryu, Davis, and Fosse

Expanding eligibility for employment of certain law enforcement and prosecutor office positions.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, House Bill No. 1530 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1530.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1530 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 1530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1972, by Representatives Simmons, Harris, Reed, Ormsby, and Riccelli

Increasing the licensure fees that support the Washington physicians health program.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 1972 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1972.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1972 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 1972, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998, by House Committee on Housing (originally sponsored by Representatives Gregerson, Barkis, Leavitt, Rule, Ryu, Reed, Morgan, Fitzgibbon, Berry, Duerr, Bronoske, Ramos, Ramel, Bateman, Peterson, Chambers, Taylor, Simmons, Ormsby,

Graham, Callan, Macri, Donaghy, Doglio, Mena, Nance, Riccelli, Cortes, Santos, Pollet, and Davis)

Concerning co-living housing.

The measure was read the second time.

MOTION

Senator Salomon moved that the following amendment no. 697 by Senator Salomon be adopted:

On page 4, line 28, after "for" strike "utility connections" and insert "sewer connections, unless the city or county makes a finding, based on facts, that the connection fees should exceed the one-half threshold"

Senators Salomon and Torres spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 697 by Senator Salomon on page 4, line 28 to Engrossed Substitute House Bill No. 1998.

The motion by Senator Salomon carried and amendment no. 697 was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Engrossed Substitute House Bill No. 1998 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, Torres and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1998 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1998 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Padden, Rivers, Warnick and Wilson, L.
Excused: Senator Liias

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2111, by Representatives Nance, Senn, Simmons, Callan, Tharinger, Lekanoff, Wylie, and Reeves

Clarifying requirements for subsidized child care.

FORTY SIXTH DAY, FEBRUARY 22, 2024

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, House Bill No. 2111 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2111.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2111 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 2111, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1249, by House Committee on Regulated Substances & Gaming (originally sponsored by Representatives Corry and Reeves)

Regarding limits on the sale and possession of retail cannabis products.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1249 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1249.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1249 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña,

Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Padden

Excused: Senator Liias

SUBSTITUTE HOUSE BILL NO. 1249, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 9:45 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 10:15 a.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 5949, by Senators Mullet, and Schoesler

Concerning the capital budget.

On motion of Senator Mullet, Substitute Senate Bill No. 5949 was substituted for Senate Bill No. 5949 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5949, by Senate Ways & Means (originally sponsored by Senators Mullet and Schoesler)

MOTION

Senator Mullet moved that the following amendment no. 695 by Senator Mullet be adopted:

On page 92, line 16, after "appropriation" insert "and natural climate solutions account—state appropriation"

Senators Mullet and Schoesler spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 695 by Senator Mullet on page 92, line 16 to Substitute Senate Bill No. 5949.

The motion by Senator Mullet carried and amendment no. 695 was adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 694 by Senator Mullet be adopted:

On page 92, after line 32, insert the following:
"NEW SECTION. Sec. 3016. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE STATE CONSERVATION COMMISSION
Anaerobic Digester Development (91001830)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$22,000,000 of the appropriation in this section is provided solely for grants to dairy farm owners for cost-share agreements regarding anaerobic digester development. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:

(i) The amount of greenhouse gas reduction expected to be achieved by the proposal; and

(ii) The amount of untreated effluent expected to be reduced by the proposal.

(b) Recipients of grants under this section must provide a report to the commission within one year of receipt of the grant, detailing the success of the project in meeting the stated criteria in the competitive process.

(2) \$2,900,000 of the appropriation in this section is provided solely for the commission to provide financial and technical assistance for project predevelopment.

Appropriation:

Climate Commitment Account—State	\$24,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$99,600,000
TOTAL	\$124,500,000"

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Mullet and Schoesler spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 694 by Senator Mullet on page 92, after line 32 to Substitute Senate Bill No. 5949.

The motion by Senator Mullet carried and amendment no. 694 was adopted by voice vote.

MOTIONS

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute Senate Bill No. 5949 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Schoesler, Trudeau, Hawkins and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5949.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5949 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5949, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Mullet: “Last year, I remembered, I did this in my formal remarks last year and you very kindly reminded me it’s better, appropriate for a personal privilege to thank staff that worked on the capital budget and I’d like to highlight Michael Bezanson, Wendy Brown, Shani Bauer, were the nonpartisan staff. And we also had Sarian Scott, she had indeed made a lot of guest appearances in that room as well. And we had James Crandall and David Bremer from the partisan staff. And like I said, it was a fun. It was a fun room. Part of the reason it was a fun room is because staff is excellent and they also had a good time I think during these early morning sessions. I really appreciate all their hard work.”

SECOND READING

HOUSE BILL NO. 1954, by Representatives Riccelli, Bateman, Ramel, Reed, Simmons, Ormsby, Macri, Doglio, Thai, Lekanoff, and Reeves

Harmonizing language relating to reproductive health care services and gender-affirming treatment.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 1954 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1954.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1954 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

HOUSE BILL NO. 1954, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2295, by House Committee on Health Care & Wellness (originally sponsored by Bateman, Hutchins, Riccelli, Bronoske, Reed, Orwall, Davis, Tharinger, Simmons, Callan, and Macri)

Concerning hospital at-home services.

FORTY SIXTH DAY, FEBRUARY 22, 2024

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) "Hospital at home" is a service that provides safe and effective care, improves outcomes, and benefits patients. It was developed by Johns Hopkins healthcare solutions and has been used by the veteran's health administration and medical centers in the United States and around the world;

(b) Washington hospitals began offering this service following the launch of the centers for medicare and medicaid services acute hospital care at-home program in response to the COVID-19 pandemic. Since that time, participating Washington patients have experienced fewer readmissions and shorter treatment periods and report high rates of satisfaction;

(c) Authorizing the continuation of this service would benefit patients in Washington, a state with one of the lowest number of beds per patient population in the country and a track record of providing high quality inpatient care; and

(d) Immediate authorization of this service is necessary to preserve continuity of care and provision of services without disruption.

(2) It is the intent of the legislature to authorize acute care hospitals licensed under this chapter to continue providing hospital at-home services and direct the department to adopt rules including those services among those that may be offered by such hospitals.

NEW SECTION. Sec. 2. A new section is added to chapter 70.41 RCW to read as follows:

(1) Hospitals subject to this chapter may provide hospital at-home services if they have an active federal program waiver prior to when the department adopts rules pursuant to this section. Hospitals that have an active federal program waiver and intend to operate hospital at-home services within Washington state shall notify the department within 30 days of receiving the waiver.

(2)(a) The department shall adopt rules by December 31, 2025, to implement this act and add hospital at-home services to those services that may be provided by an acute care hospital licensed under this chapter. The rules shall establish standards for the operation of a hospital at-home program. In establishing the initial standards, the department shall consider the provisions of the federal program and endeavor to make the standards substantially similar. The standards may not include requirements that would make a hospital ineligible for or preclude a hospital from complying with the requirements of the federal program. The department may adopt additional standards to promote safe care and treatment of patients as needed.

(b) In the event that the federal program expires before the department establishes rules, hospitals shall continue to follow federal program requirements that were in effect as of the date of the federal program's expiration and the department shall enforce such requirements until the department adopts rules.

(c) Once rules are established, hospitals that intend to offer or continue offering hospital at-home services shall apply to the department for approval to add hospital at-home services as a hospital service line. Hospitals that have secured a federal program waiver prior to rule adoption may provide hospital at-home services while applying for approval. The department shall

approve a hospital to provide hospital at-home services if the application is consistent with the standards established in rule. RCW 43.70.115 and chapter 34.05 RCW govern notice and adjudicative proceedings related to denial of an application. The department may set a one-time application fee in rule. The application fees charged shall not exceed the actual cost of staff time to review. The administration of the program must be covered by licensing fees set by the department under the authority of RCW 70.41.100 and 43.70.250.

(3) Hospital at-home services are not subject to chapter 70.126 or 70.127 RCW.

(4) Hospital at-home services do not count as an increase in the number of the hospital's licensed beds and are not subject to chapter 70.38 RCW.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Hospital at-home services" means acute care services provided by a licensed acute care hospital to a patient outside of the hospital's licensed facility and within a home or any location determined by the patient receiving the service.

(b) "Federal program" means the acute hospital care at-home program established by the federal centers for medicare and medicaid services under 42 U.S.C. Sec. 1320b-5 and extended by 42 U.S.C. Sec. 1395cc-7, or any successor program.

NEW SECTION. Sec. 3. A new section is added to chapter 70.126 RCW to read as follows:

This chapter does not apply to hospital at-home services provided by an acute care hospital licensed under chapter 70.41 RCW.

Sec. 4. RCW 70.127.040 and 2020 c 258 s 2 are each amended to read as follows:

The following are not subject to regulation for the purposes of this chapter:

(1) A family member providing home health, hospice, or home care services;

(2) A person who provides only meal services in an individual's permanent or temporary residence;

(3) An individual providing home care through a direct agreement with a recipient of care in an individual's permanent or temporary residence;

(4) A person furnishing or delivering home medical supplies or equipment that does not involve the provision of services beyond those necessary to deliver, set up, and monitor the proper functioning of the equipment and educate the user on its proper use;

(5) A person who provides services through a contract with a licensed agency;

(6) An employee or volunteer of a licensed agency who provides services only as an employee or volunteer;

(7) Facilities and institutions, including but not limited to nursing homes under chapter 18.51 RCW, hospitals under chapter 70.41 RCW, adult family homes under chapter 70.128 RCW, assisted living facilities under chapter 18.20 RCW, developmental disability residential programs under chapter 71A.12 RCW, other entities licensed under chapter 71.12 RCW, or other licensed facilities and institutions, only when providing services to persons residing within the facility or institution;

(8) Local and combined city-county health departments providing services under chapters 70.05 and 70.08 RCW;

(9) An individual providing care to ill individuals, individuals with disabilities, or vulnerable individuals through a contract with the department of social and health services;

(10) Nursing homes, hospitals, or other institutions, agencies, organizations, or persons that contract with licensed home health, hospice, or home care agencies for the delivery of services;

(11) In-home assessments of an ill individual, an individual with a disability, or a vulnerable individual that does not result in regular ongoing care at home;

(12) Services conducted by and for the adherents of a church or religious denomination that rely upon spiritual means alone through prayer for healing in accordance with the tenets and practices of such church or religious denomination and the bona fide religious beliefs genuinely held by such adherents;

(13) A medicare-approved dialysis center operating a medicare-approved home dialysis program;

(14) A person providing case management services. For the purposes of this subsection, "case management" means the assessment, coordination, authorization, planning, training, and monitoring of home health, hospice, and home care, and does not include the direct provision of care to an individual;

(15) Pharmacies licensed under RCW 18.64.043 that deliver prescription drugs and durable medical equipment that does not involve the use of professional services beyond those authorized to be performed by licensed pharmacists pursuant to chapter 18.64 RCW and those necessary to set up and monitor the proper functioning of the equipment and educate the person on its proper use;

(16) A volunteer hospice complying with the requirements of RCW 70.127.050;

(17) A person who provides home care services without compensation;

(18) Nursing homes that provide telephone or web-based transitional care management services; ~~((and))~~

(19) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416; and

(20) Hospital at-home services provided by a hospital pursuant to section 2 of this act.

Sec. 5. RCW 70.38.111 and 2021 c 277 s 1 are each amended to read as follows:

(1) The department shall not require a certificate of need for the offering of an inpatient tertiary health service by:

(a) A health maintenance organization or a combination of health maintenance organizations if (i) the organization or combination of organizations has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (ii) the facility in which the service will be provided is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination;

(b) A health care facility if (i) the facility primarily provides or will provide inpatient health services, (ii) the facility is or will be controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations which has, in the service area of the organization or service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (iii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination; or

(c) A health care facility (or portion thereof) if (i) the facility is or will be leased by a health maintenance organization or combination of health maintenance organizations which has, in the service area of the organization or the service areas of the

organizations in the combination, an enrollment of at least fifty thousand individuals and, on the date the application is submitted under subsection (2) of this section, at least fifteen years remain in the term of the lease, (ii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization;

if, with respect to such offering or obligation by a nursing home, the department has, upon application under subsection (2) of this section, granted an exemption from such requirement to the organization, combination of organizations, or facility.

(2) A health maintenance organization, combination of health maintenance organizations, or health care facility shall not be exempt under subsection (1) of this section from obtaining a certificate of need before offering a tertiary health service unless:

(a) It has submitted at least thirty days prior to the offering of services reviewable under RCW 70.38.105(4)(d) an application for such exemption; and

(b) The application contains such information respecting the organization, combination, or facility and the proposed offering or obligation by a nursing home as the department may require to determine if the organization or combination meets the requirements of subsection (1) of this section or the facility meets or will meet such requirements; and

(c) The department approves such application. The department shall approve or disapprove an application for exemption within thirty days of receipt of a completed application. In the case of a proposed health care facility (or portion thereof) which has not begun to provide tertiary health services on the date an application is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet the applicable requirements of subsection (1) of this section when the facility first provides such services. The department shall approve an application submitted under this subsection if it determines that the applicable requirements of subsection (1) of this section are met.

(3) A health care facility (or any part thereof) with respect to which an exemption was granted under subsection (1) of this section may not be sold or leased and a controlling interest in such facility or in a lease of such facility may not be acquired and a health care facility described in subsection (1)(c) of this section which was granted an exemption under subsection (1) of this section may not be used by any person other than the lessee described in subsection (1)(c) of this section unless:

(a) The department issues a certificate of need approving the sale, lease, acquisition, or use; or

(b) The department determines, upon application, that (i) the entity to which the facility is proposed to be sold or leased, which intends to acquire the controlling interest, or which intends to use the facility is a health maintenance organization or a combination of health maintenance organizations which meets the requirements of subsection (1)(a)(i) of this section, and (ii) with respect to such facility, meets the requirements of subsection (1)(a)(ii) or (iii) of this section or the requirements of subsection (1)(b)(i) and (ii) of this section.

(4) In the case of a health maintenance organization, an ambulatory care facility, or a health care facility, which ambulatory or health care facility is controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations, the department may under the program apply its certificate of need requirements to the offering of inpatient tertiary health services to the extent that such offering is not exempt under the provisions of this section or RCW 70.38.105(7).

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(5)(a) The department shall not require a certificate of need for the construction, development, or other establishment of a nursing home, or the addition of beds to an existing nursing home, that is owned and operated by a continuing care retirement community that:

- (i) Offers services only to contractual members;
- (ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some assistance with daily living activities;
- (iii) Contractually assumes responsibility for the cost of services exceeding the member's financial responsibility under the contract, so that no third party, with the exception of insurance purchased by the retirement community or its members, but including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources;
- (iv) Has offered continuing care contracts and operated a nursing home continuously since January 1, 1988, or has obtained a certificate of need to establish a nursing home;
- (v) Maintains a binding agreement with the state assuring that financial liability for services to members, including nursing home services, will not fall upon the state;
- (vi) Does not operate, and has not undertaken a project that would result in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and
- (vii) Has obtained a professional review of pricing and long-term solvency within the prior five years which was fully disclosed to members.

(b) A continuing care retirement community shall not be exempt under this subsection from obtaining a certificate of need unless:

- (i) It has submitted an application for exemption at least thirty days prior to commencing construction of, is submitting an application for the licensure of, or is commencing operation of a nursing home, whichever comes first; and
- (ii) The application documents to the department that the continuing care retirement community qualifies for exemption.
- (c) The sale, lease, acquisition, or use of part or all of a continuing care retirement community nursing home that qualifies for exemption under this subsection shall require prior certificate of need approval to qualify for licensure as a nursing home unless the department determines such sale, lease, acquisition, or use is by a continuing care retirement community that meets the conditions of (a) of this subsection.

(6) A rural hospital, as defined by the department, reducing the number of licensed beds to become a rural primary care hospital under the provisions of Part A Title XVIII of the Social Security Act Section 1820, 42 U.S.C., 1395c et seq. may, within three years of the reduction of beds licensed under chapter 70.41 RCW, increase the number of licensed beds to no more than the previously licensed number without being subject to the provisions of this chapter.

(7) A rural health care facility licensed under RCW 70.175.100 formerly licensed as a hospital under chapter 70.41 RCW may, within three years of the effective date of the rural health care facility license, apply to the department for a hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW and there is no redistribution in the number of beds used for acute care or long-term care, the rural health care facility has been in continuous operation, and the rural health care facility has not been purchased or leased.

(8) A rural hospital determined to no longer meet critical access hospital status for state law purposes as a result of participation in the Washington rural health access preservation pilot identified by the state office of rural health and formerly licensed as a hospital under chapter 70.41 RCW may apply to the department to renew its hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW. If all or part of a formerly licensed rural hospital is sold, purchased, or leased during the period the rural hospital does not meet critical access hospital status as a result of participation in the Washington rural health access preservation pilot and the new owner or lessor applies to renew the rural hospital's license, then the sale, purchase, or lease of part or all of the rural hospital is subject to the provisions of this chapter.

(9)(a) A nursing home that voluntarily reduces the number of its licensed beds to provide assisted living, licensed assisted living facility care, adult day care, adult day health, respite care, hospice, outpatient therapy services, congregate meals, home health, or senior wellness clinic, or to reduce to one or two the number of beds per room or to otherwise enhance the quality of life for residents in the nursing home, may convert the original facility or portion of the facility back, and thereby increase the number of nursing home beds to no more than the previously licensed number of nursing home beds without obtaining a certificate of need under this chapter, provided the facility has been in continuous operation and has not been purchased or leased. Any conversion to the original licensed bed capacity, or to any portion thereof, shall comply with the same life and safety code requirements as existed at the time the nursing home voluntarily reduced its licensed beds; unless waivers from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers.

(b) To convert beds back to nursing home beds under this subsection, the nursing home must:

- (i) Give notice of its intent to preserve conversion options to the department of health no later than thirty days after the effective date of the license reduction; and
- (ii) Give notice to the department of health and to the department of social and health services of the intent to convert beds back. If construction is required for the conversion of beds back, the notice of intent to convert beds back must be given, at a minimum, one year prior to the effective date of license modification reflecting the restored beds; otherwise, the notice must be given a minimum of ninety days prior to the effective date of license modification reflecting the restored beds. Prior to any license modification to convert beds back to nursing home beds under this section, the licensee must demonstrate that the nursing home meets the certificate of need exemption requirements of this section.

The term "construction," as used in (b)(ii) of this subsection, is limited to those projects that are expected to equal or exceed the expenditure minimum amount, as determined under this chapter.

(c) Conversion of beds back under this subsection must be completed no later than four years after the effective date of the license reduction. However, for good cause shown, the four-year period for conversion may be extended by the department of health for one additional four-year period.

(d) Nursing home beds that have been voluntarily reduced under this section shall be counted as available nursing home beds for the purpose of evaluating need under RCW 70.38.115(2) (a) and (k) so long as the facility retains the ability to convert them back to nursing home use under the terms of this section.

(e) When a building owner has secured an interest in the nursing home beds, which are intended to be voluntarily reduced by the licensee under (a) of this subsection, the applicant shall provide the department with a written statement indicating the building owner's approval of the bed reduction.

(10)(a) The department shall not require a certificate of need for a hospice agency if:

(i) The hospice agency is designed to serve the unique religious or cultural needs of a religious group or an ethnic minority and commits to furnishing hospice services in a manner specifically aimed at meeting the unique religious or cultural needs of the religious group or ethnic minority;

(ii) The hospice agency is operated by an organization that:

(A) Operates a facility, or group of facilities, that offers a comprehensive continuum of long-term care services, including, at a minimum, a licensed, medicare-certified nursing home, assisted living, independent living, day health, and various community-based support services, designed to meet the unique social, cultural, and religious needs of a specific cultural and ethnic minority group;

(B) Has operated the facility or group of facilities for at least ten continuous years prior to the establishment of the hospice agency;

(iii) The hospice agency commits to coordinating with existing hospice programs in its community when appropriate;

(iv) The hospice agency has a census of no more than forty patients;

(v) The hospice agency commits to obtaining and maintaining medicare certification;

(vi) The hospice agency only serves patients located in the same county as the majority of the long-term care services offered by the organization that operates the agency; and

(vii) The hospice agency is not sold or transferred to another agency.

(b) The department shall include the patient census for an agency exempted under this subsection (10) in its calculations for future certificate of need applications.

(11) To alleviate the need to board psychiatric patients in emergency departments and increase capacity of hospitals to serve individuals on ninety-day or one hundred eighty-day commitment orders, for the period of time from May 5, 2017, through June 30, 2023:

(a) The department shall suspend the certificate of need requirement for a hospital licensed under chapter 70.41 RCW that changes the use of licensed beds to increase the number of beds to provide psychiatric services, including involuntary treatment services. A certificate of need exemption under this subsection (11)(a) shall be valid for two years.

(b) The department may not require a certificate of need for:

(i) The addition of beds as described in RCW 70.38.260 (2) and (3); or

(ii) The construction, development, or establishment of a psychiatric hospital licensed as an establishment under chapter 71.12 RCW that will have no more than sixteen beds and provide treatment to adults on ninety or one hundred eighty-day involuntary commitment orders, as described in RCW 70.38.260(4).

(12)(a) An ambulatory surgical facility is exempt from all certificate of need requirements if the facility:

(i) Is an individual or group practice and, if the facility is a group practice, the privilege of using the facility is not extended to physicians outside the group practice;

(ii) Operated or received approval to operate, prior to January 19, 2018; and

(iii) Was exempt from certificate of need requirements prior to January 19, 2018, because the facility either:

(A) Was determined to be exempt from certificate of need requirements pursuant to a determination of reviewability issued by the department; or

(B) Was a single-specialty endoscopy center in existence prior to January 14, 2003, when the department determined that endoscopy procedures were surgeries for purposes of certificate of need.

(b) The exemption under this subsection:

(i) Applies regardless of future changes of ownership, corporate structure, or affiliations of the individual or group practice as long as the use of the facility remains limited to physicians in the group practice; and

(ii) Does not apply to changes in services, specialties, or number of operating rooms.

(13) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416 is not subject to certificate of need review under this chapter.

(14) Hospital at-home services, as defined in section 2 of this act, are not subject to certificate of need review under this chapter.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 70.127.040 and 70.38.111; adding a new section to chapter 70.41 RCW; adding a new section to chapter 70.126 RCW; creating a new section; and declaring an emergency."

Senator Cleveland spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long Term Care to Substitute House Bill No. 2295.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 2295 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2295 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2295 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short,

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Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2295 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1975, by Representatives Ortiz-Self, Ryu, Berry, Ramel, Reed, Simmons, Ormsby, Fey, Kloba, Macri, Street, Fosse, Bergquist, Reeves, Wylie, and Pollet

Relieving individuals from paying interest on certain unemployment insurance overpayment assessments.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, House Bill No. 1975 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Keiser spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senator Liias was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 1975.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1975 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 1975, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President Pro Tempore assumed the chair, Senator Keiser presiding.

PERSONAL PRIVILEGE

Senator Fortunato: "It's fortunate that you're up there as President today because you will remember a few years ago I stood on this Senate floor and reported that the City of Wilkeson had a \$56,000 bill that was not paid. And currently, with interest, it was five million and something dollars. Today, Madam President, we now have a display of that very letter in the Secretary of State's Office. Together, with some pictures of the quarry and the building, the Capitol building – coming up on our hundredth anniversary. One of those pictures, if you really look

in detail, has a gentleman doing the fine work, the fine sculpting. And that gentleman is Ralph Munro's grandfather. So, I invite everybody here to go and check out the display. It's a small display, not quite – I wanted the entire wall – but they gave me a little display in the display case. So, please enjoy it and help support that Wilkeson stone bill. Thank you Madam President."

EDITOR'S NOTE: The Honorable Ralph Munro served five terms as Washington's thirteenth Secretary of State from 1981 – 2001.

SECOND READING

HOUSE BILL NO. 1920, by Representatives Robertson, Reeves, Ryu, and Graham

Modifying the public accountancy act.

The measure was read the second time.

MOTION

On motion of Senator Dozier, the rules were suspended, House Bill No. 1920 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dozier spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1920.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1920 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 1920, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331, by House Committee on Education (originally sponsored by Representatives Stonier, Macri, Davis, Pollet, Reed, and Ramel)

Modifying requirements for public school instructional and supplemental instructional materials.

The measure was read the second time.

MOTION

Senator Nobles moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.320 RCW to read as follows:

(1)(a) Except as provided otherwise by this section, a school district board of directors may not refuse to approve, or prohibit the use of, any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction on the basis that it relates to or includes the study of the role and contributions of any individual or group who is part of a protected class as established in RCW 28A.642.010 and 28A.640.010.

(b) Subsection (1)(a) of this section does not apply if the content of the material relating to the role and contributions of an individual or group violates the provisions of chapter 28A.642 or 28A.640 RCW, including materials containing bias against any individual or group who is part of a protected class as established in RCW 28A.642.010 and 28A.640.010.

(2) Anyone alleging a violation of subsection (1) of this section may bring a complaint under the provisions of chapter 28A.642 or 28A.640 RCW. Any school district board of directors found to be in violation of subsection (1) of this section shall be considered to have violated chapter 28A.642 or 28A.640 RCW and is subject to the provisions of that chapter.

(3) For the purposes of this section, "supplemental instructional materials" has the same meaning as in section 2 of this act.

(4) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.320 RCW to read as follows:

(1) By the beginning of the 2025-26 school year, each school district board of directors shall adopt or revise as necessary policies and procedures governing requested reviews and removals of supplemental instructional materials. The policies and procedures must:

(a) Include a summary of, and citation to, the requirements governing supplemental instructional materials established in section 1 of this act;

(b) Require that requests for the review and potential removal of supplemental instructional materials be in writing from a parent and submitted to the applicable certificated teacher or teacher-librarian and school principal;

(c) Seek to resolve requests for reviews and potential removals of supplemental instructional materials at the school building level through, if requested by the parent, a meeting with the parent, the applicable certificated teacher or teacher-librarian, and school principal;

(d) Require, if a resolution cannot be agreed upon with the parent and the school principal, and following a review of the supplemental instructional materials by the principal, in consultation with a teacher-librarian of the school district if one is available, the principal to provide a written decision on whether to remove the materials within: (i) 30 days of the meeting with the parent; or (ii) 60 days of receiving the request under (b) of this subsection if the parent does not request to meet with school personnel as provided in (c) of this subsection; and

(e) Provide a process for appealing decisions of principals, either by the parent or the applicable certificated teacher or teacher-librarian, to the superintendent of the school district or a designee of the superintendent. Appeal requests must be made in writing and decisions by the superintendent or designee under this subsection are not subject to appeal. Final decisions at any point in the process made in accordance with this subsection (1) may

not be reconsidered for a minimum of three years unless there is a substantive change of circumstances as determined by the superintendent.

(2) Decisions made in accordance with subsection (1)(d) and (e) of this section must be in conformity with section 1 of this act and may be limited in application to only the student or students of the parent who submitted the complaint.

(3) For the purposes of this section, the following definitions apply:

(a) "Parent" means a parent or legal guardian of a student who is enrolled in the school or school district;

(b) "Supplemental instructional materials" or "materials" means: (i) Materials in school libraries; and (ii) educational materials that are not expressly required by the school or school district and are instead selected at the discretion of a certificated teacher or teacher-librarian for materials in school libraries; and

(c) "Teacher-librarian" has the same meaning as in RCW 28A.320.240.

(4) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts.

Sec. 3. RCW 28A.320.230 and 1989 c 371 s 1 are each amended to read as follows:

(1) Every board of directors, unless otherwise specifically provided by law, shall:

~~((+))~~ (a) Prepare, negotiate, set forth in writing and adopt, policy relative to the selection or deletion of instructional materials. Such policy shall:

~~((+))~~ (i) State the school district's goals and principles relative to instructional materials;

~~((+))~~ (ii) Delegate responsibility for the preparation and recommendation of teachers' reading lists and specify the procedures to be followed in the selection of all instructional materials including text books;

~~((+))~~ (iii) Establish an instructional materials committee to be appointed, with the approval of the school board, by the school district's chief administrative officer. This committee shall consist of ~~((representative))~~; Representative members of the district's professional staff, including representation from the district's curriculum development committees~~((and, in the case of districts which))~~; one or more parents of enrolled students, with the parent members equaling less than one-half of the total membership of the committee; and in the case of districts that operate elementary school(s) only, the educational service district superintendent, one of whose responsibilities shall be to assure the correlation of those elementary district adoptions with those of the high school district(s) which serve their children. ~~((The committee may include parents at the school board's discretion: PROVIDED, That parent members shall make up less than one-half of the total membership of))~~ School districts shall develop and implement comprehensive outreach programs to parents of enrolled students in the district for the purpose of recruiting a diverse pool of parent members for instructional materials committees that reflects the demographics and learning needs in the district to the greatest extent possible;

(iv) Instructional materials committees that are unable to recruit at least one parent of an enrolled student to serve on the committee must, while they are without a parent member, report quarterly to the school district board of directors and the public on their efforts to recruit one or more parents to serve on the committee;

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~~((#))~~ (v) Provide for reasonable notice to parents of the opportunity to serve on the committee and for terms of office for members of the instructional materials committee;

~~((#))~~ (vi) Provide a system for receiving, considering and acting upon written complaints regarding instructional materials used by the school district. The system required by this subsection (1)(a)(vi) must:

(A) Require that complaints be in writing from a parent or legal guardian of student who is enrolled in the district and submitted to a principal from a school where the materials that are the subject of the complaint are used;

(B) Seek to resolve complaints through, if requested by the parent or guardian, a meeting with the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, and the principal to whom the complaint was submitted;

(C) Require, if a resolution cannot be agreed upon with the parent or guardian and the school principal, the instructional materials committee to provide a written decision on the matter within: (I) 60 days of a meeting held under (a)(vi)(B) of this subsection; or (II) 90 days after the complaint was received by the principal, whichever date is later. Decisions made in accordance with this subsection (1)(a)(vi) must be in conformity with section 1 of this act and may be limited in application to only the student or students of the parent or guardian who submitted the complaint; and

(D) Provide a process for appealing decisions of the instructional materials committee, by the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, or a principal from a school where the materials that are the subject of the complaint are used, to the superintendent of the school district or a designee of the superintendent. Appeal requests must be made in writing and decisions by the superintendent or designee under this subsection are not subject to appeal. Final decisions at any point in the process made in accordance with this subsection (1)(a)(vi) may not be reconsidered for a minimum of three years unless there is a substantive change of circumstances as determined by the superintendent; and

~~((#))~~ (vii) Provide free text books, supplies and other instructional materials to be loaned to the pupils of the school, when, in its judgment, the best interests of the district will be subserved thereby and prescribe rules and regulations to preserve such books, supplies and other instructional materials from unnecessary damage; and

(b) Establish a depreciation scale for determining the value of texts which students wish to purchase.

(2) Recommendation of instructional materials shall be by the district's instructional materials committee in accordance with district policy. ~~((Approval))~~ Recommendations made in accordance with this section must include recommendations for culturally and experientially representative instructional materials including materials on the study of the role and contributions of individuals or groups that are part of a protected class under RCW 28A.642.010 and 28A.640.010, but approval or disapproval shall be by the local school district's board of directors.

(3) Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee's expenses incidental to visits to observe other districts' selection procedures may be reimbursed by the school district.

(4) Districts may, within limitations stated in board policy, use and experiment with instructional materials for a period of time before general adoption is formalized.

(5) Within the limitations of board policy, a school district's chief administrator may purchase instructional materials to meet deviant needs or rapidly changing circumstances.

~~((2) Establish a depreciation scale for determining the value of texts which students wish to purchase.))~~

Sec. 4. RCW 28A.150.230 and 2010 c 235 s 201 are each amended to read as follows:

(1) It is the intent and purpose of this section to guarantee that each common school district board of directors, whether or not acting through its respective administrative staff, be held accountable for the proper operation of their district to the local community and its electorate. In accordance with the provisions of ~~((Title 28A RCW))~~ this title, as now or hereafter amended, each common school district board of directors shall be vested with the final responsibility for the setting of policies ensuring quality in the content and extent of its educational program and that such program provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning.

(2) In conformance with the provisions of ~~((Title 28A RCW))~~ this title, as now or hereafter amended, it shall be the responsibility of each common school district board of directors to adopt policies to:

(a) Establish performance criteria and an evaluation process for its superintendent, classified staff, certificated personnel, including administrative staff, and for all programs constituting a part of such district's curriculum. Each district shall report annually to the superintendent of public instruction the following for each employee group listed in this subsection (2)(a): (i) Evaluation criteria and rubrics; (ii) a description of each rating; and (iii) the number of staff in each rating;

(b) Determine the final assignment of staff, certificated or classified, according to board enumerated classroom and program needs and data, based upon a plan to ensure that the assignment policy: (i) Supports the learning needs of all the students in the district; and (ii) gives specific attention to high-need schools and classrooms;

(c) Provide information to the local community and its electorate describing the school district's policies concerning hiring, assigning, terminating, and evaluating staff, including the criteria for evaluating teachers and principals;

(d) Determine the amount of instructional hours necessary for any student to acquire a quality education in such district, in not less than an amount otherwise required in RCW 28A.150.220, or rules of the state board of education;

(e) Determine the allocation of staff time, whether certificated or classified;

(f) Establish final curriculum standards consistent with law and rules of the superintendent of public instruction, relevant to the particular needs of district students or the unusual characteristics of the district, and ensuring a quality education for each student in the district; and

(g) Evaluate teaching materials, including text books, teaching aids, handouts, or other printed material, ~~((in public hearing))~~ upon complaint by parents, guardians or custodians of students who consider dissemination of such material to students objectionable in accordance with section 2 of this act and RCW 28A.320.230.

Sec. 5. RCW 28A.642.020 and 2010 c 240 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop rules and guidelines to eliminate discrimination prohibited in RCW 28A.642.010 and section 1 of this act as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks ~~((and)),~~ instructional materials ~~((used~~

by students), and supplemental instructional materials, and student access to those materials.

(2) For the purposes of this section, "supplemental instructional materials" has the same meaning as in section 2 of this act.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.640 RCW to read as follows:

In accordance with section 1 of this act, decisions by school district boards of directors, charter school boards under chapter 28A.710 RCW, and state-tribal education compact schools subject to chapter 28A.715 RCW that pertain to textbooks, instructional materials, supplemental instructional materials, and other curriculum for student instruction may be subject to the provisions of this chapter.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.642 RCW to read as follows:

In accordance with section 1 of this act, decisions by school district boards of directors, charter school boards under chapter 28A.710 RCW, and state-tribal education compact schools subject to chapter 28A.715 RCW that pertain to textbooks, instructional materials, supplemental instructional materials, and other curriculum for student instruction may be subject to the provisions of this chapter."

On page 1, line 5 of the title, after "materials;" strike the remainder of the title and insert "amending RCW 28A.320.230, 28A.150.230, and 28A.642.020; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.640 RCW; and adding a new section to chapter 28A.642 RCW."

MOTION

Senator McCune moved that the following amendment no. 704 by Senator McCune be adopted:

On page 1, line 24, after "(3)" insert "A school district board of directors may not approve the use of any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction if it contains any erotic material as defined in RCW 9.68.050, sexually explicit material as defined in RCW 9.68.130, or lewd or obscene matter as defined in RCW 7.48A.010.

(4) A school employee may not use or offer any textbook, instructional material, supplemental instructional material, or other curriculum for student instruction if it contains any erotic material as defined in RCW 9.68.050, sexually explicit material as defined in RCW 9.68.130, or lewd or obscene matter as defined in RCW 7.48A.010.

(5)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Senator McCune spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nobles spoke against adoption of the amendment to the committee striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 704 by Senator McCune on page 1, line 24 to the committee striking amendment.

The motion by Senator McCune did not carry and amendment no. 704 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 703 by Senator Wilson, J. be adopted:

On page 2, line 12, after "parent" insert "or grandparent"
 On page 2, line 17, after "by the parent" insert "or grandparent"
 On page 2, line 17, after "with the parent" insert "or grandparent"

On page 2, line 21, after "parent" insert "or grandparent"
 On page 2, line 26, after "parent" insert "or grandparent"
 On page 2, line 27, after "parent" insert "or grandparent"
 On page 2, line 30, after "parent" insert "or grandparent"
 On page 3, line 2, after "parent" insert "or grandparent"

On page 3, line 5, after "(a)" insert "'Grandparent' means a grandparent of a student who is enrolled in the school or school district;

(b)"

Reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 4, beginning on line 26, after "parent" strike "or legal guardian of" and insert ", legal guardian, or grandparent of a"

On page 4, line 31, after "parent" strike "or guardian, a meeting with the parent or guardian" and insert ", legal guardian, or grandparent, a meeting with the parent, legal guardian, or grandparent"

On page 4, line 35, after "parent" strike "or guardian" and insert ", legal guardian, or grandparent"

On page 5, line 2, after "parent" strike "or guardian" and insert ", legal guardian, or grandparent"

On page 5, line 4, after "parent" strike "or guardian" and insert ", legal guardian, or grandparent"

On page 7, line 14, after "guardians" strike "or" and insert "((or))₂"

On page 7, line 14, after "custodians" insert ", or grandparents"

Senators Wilson, J., Wilson, L., McCune and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Nobles, Saldaña and Trudeau spoke against adoption of the amendment to the committee striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 703 by Senator Wilson, J. on page 2, line 12 to committee striking amendment.

The motion by Senator Wilson, J. did not carry and amendment no. 703 was not adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced students from Three River Christian School in Longview, guests of Senator Jeff Wilson, who were seated in the gallery.

MOTION

Senator Short moved that the following amendment no. 702 by Senator Short be adopted:

On page 2, line 34, after "subsection" strike "are not subject to appeal" and insert "may be appealed to the school district board of directors"

On page 5, line 10, after "subsection" strike "are not subject to appeal" and insert "may be appealed to the school district board of directors"

Senator Short spoke in favor of adoption of the amendment to the committee striking amendment.

MOTION

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Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Fortunato and McCune spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Nobles and Wilson, C. spoke against adoption of the amendment to the committee striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Short on page 2, line 34 to committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Short and the amendment was not adopted by the following vote: Yeas, 20; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Gildon moved that the following amendment no. 707 by Senator Gildon be adopted:

On page 2, beginning on line 34, after "appeal." strike all material through "superintendent." on line 38

On page 5, beginning on line 10, after "appeal" strike all material through "superintendent" on line 14

Senator Gildon spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nobles spoke against adoption of the amendment to the committee striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 707 by Senator Gildon on page 2, line 34 to committee striking amendment.

The motion by Senator Gildon did not carry and amendment no. 707 was not adopted by voice vote.

MOTION

Senator Nobles moved that the following amendment no. 708 by Senator Nobles be adopted:

On page 4, line 27, after "of" insert "a"

Senator Nobles spoke in favor of adoption of the amendment to the committee striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 708 by Senator Nobles on page 4, line 27 to committee striking amendment.

The motion by Senator Nobles carried and amendment no. 708 was adopted by voice vote.

The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment

by the Committee on Early Learning & K-12 Education as amended to Engrossed Substitute House Bill No. 2331.

The motion by Senator Nobles carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Nobles, the rules were suspended, Engrossed Substitute House Bill No. 2331 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Randall spoke in favor of passage of the bill.

Senators Hawkins, Rivers, Dozier, Wilson, J. and Fortunato spoke against passage of the bill.

POINT OF ORDER

Senator Billig: "Thank you Madam President, I would like to ask the President to remind the gentleman to speak to the topic before us. Thank you."

REMARKS BY THE PRESIDENT

President Pro Tempore Keiser: "Well said. Senator Fortunato, please speak to the bill before us and you might need a glass of water."

Senators Fortunato, McCune and Wagoner spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2331 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2331 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1241, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Leavitt, Reeves, Reed, Morgan, and Bronoske)

Addressing harassment.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.46.020 and 2023 c 102 s 16 are each amended to read as follows:

(1) A person is guilty of harassment if:

(a) Without lawful authority, the person knowingly threatens:

(i) To cause bodily injury immediately or in the future to the person threatened or to any other person; or

(ii) To cause physical damage to the property of a person other than the actor; or

(iii) To subject the person threatened or any other person to physical confinement or restraint; or

(iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

(2)(a) Except as provided in (b) of this subsection, a person who harasses another is guilty of a gross misdemeanor.

(b) A person who harasses another is guilty of a class C felony if any of the following apply: (i) The person has previously been convicted in this or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a no-contact or no-harassment order; (ii) the person harasses another person under subsection (1)(a)(i) of this section by threatening to kill the person threatened or any other person; (iii) the person harasses a criminal justice participant or election official who is performing his or her official duties at the time the threat is made; or (iv) the person harasses a criminal justice participant or election official because of an action taken or decision made by the criminal justice participant or election official during the performance of his or her official duties. For the purposes of (b)(iii) and (iv) of this subsection, the fear from the threat must be a fear that a reasonable criminal justice participant or election official would have under all the circumstances. Threatening words do not constitute harassment if it is apparent to the criminal justice participant or election official that the person does not have the present and future ability to carry out the threat.

(3) Any criminal justice participant or election official who is a target for threats or harassment prohibited under subsection (2)(b)(iii) or (iv) of this section, and any ~~(family members)~~ person residing with him or her, shall be eligible for the address confidentiality program created under RCW 40.24.030.

(4) For purposes of this section, a criminal justice participant includes any (a) federal, state, or local law enforcement agency employee; (b) federal, state, or local prosecuting attorney or deputy prosecuting attorney; (c) staff member of any adult corrections institution or local adult detention facility; (d) staff member of any juvenile corrections institution or local juvenile detention facility; (e) community corrections officer, probation, or parole officer; (f) member of the indeterminate sentence review board; (g) advocate from a crime victim/witness program; or (h) defense attorney.

(5) For the purposes of this section, an election official includes any staff member of the office of the secretary of state or staff member of a county auditor's office, regardless of whether the member is employed on a temporary or part-time basis, whose duties relate to voter registration or the processing of votes as provided in Title 29A RCW.

(6) The penalties provided in this section for harassment do not preclude the victim from seeking any other remedy otherwise available under law.

Sec. 2. RCW 40.24.030 and 2023 c 462 s 501 and 2023 c 193 s 18 are each reenacted and amended to read as follows:

(1)(a) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an ~~(incapacitated person)~~ individual subject to guardianship as defined in RCW 11.130.010, (b) any election official as described in RCW 9A.46.020 or 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b) (iii) or (iv), and any person residing with such person ~~((+))~~, (c) any criminal justice participant as defined in RCW 9A.46.020 who is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv) and any criminal justice participant as defined in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), and any person residing with such person, and (d) any protected health care services provider, employee, or an affiliate of such provider, who provides, attempts to provide, assists in the provision, or attempts to assist in the provision of protected health care services as defined in RCW 7.115.010, and any family members residing with such person, may apply to the secretary of state to have an address designated by the secretary of state serve as the person's address or the address of the minor or incapacitated person. The secretary of state shall approve an application if it is filed in the manner and on the form prescribed by the secretary of state and if it contains:

(i) A sworn statement, under penalty of perjury, by the applicant that the applicant has good reason to believe (A) that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, sexual assault, trafficking, or stalking and that the applicant fears for the applicant's safety or the applicant's children's safety, or the safety of the minor or incapacitated person on whose behalf the application is made; (B) that the applicant, as an election official as described in RCW 9A.46.020 or 9A.90.120, is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b) (iii) or (iv); (C) that the applicant, as a criminal justice participant as defined in RCW 9A.46.020, is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv), or that the applicant, as a criminal justice participant as defined in RCW 9A.90.120 is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv); or (D) that the applicant, as a protected health care services provider, employee, or an affiliate of such provider, who provides, attempts to provide, assists in the provision, or attempts to assist in the provision of protected health care services as defined in RCW 7.115.010, is a target for threats or harassment prohibited under RCW 9A.90.120 or 9A.46.020;

(ii) If applicable, a sworn statement, under penalty of perjury, by the applicant, that the applicant has reason to believe they are a victim of (A) domestic violence, sexual assault, or stalking perpetrated by an employee of a law enforcement agency, (B) threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv) or 9A.46.020(2)(b) (iii) or (iv), or (C) threats or harassment as described in (a)(i)(D) of this subsection;

(iii) A designation of the secretary of state as agent for purposes of service of process and for the purpose of receipt of mail;

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(iv) The residential address and any telephone number where the applicant can be contacted by the secretary of state, which shall not be disclosed because disclosure will increase the risk of (A) domestic violence, sexual assault, trafficking, or stalking, (B) threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv) or 9A.46.020(2)(b) (iii) or (iv), or (C) threats or harassment as described in (a)(i)(D) of this subsection;

(v) The signature of the applicant and of any individual or representative of any office designated in writing under RCW 40.24.080 who assisted in the preparation of the application, and the date on which the applicant signed the application.

(2) Applications shall be filed with the office of the secretary of state.

(3) Upon filing a properly completed application, the secretary of state shall certify the applicant as a program participant. Applicants shall be certified for four years following the date of filing unless the certification is withdrawn or invalidated before that date. The secretary of state shall by rule establish a renewal procedure.

(4)(a) During the application process, the secretary of state shall provide each applicant a form to direct the department of licensing to change the address of registration for vehicles or vessels solely or jointly registered to the applicant and the address associated with the applicant's driver's license or identicard to the applicant's address as designated by the secretary of state upon certification in the program. The directive to the department of licensing is only valid if signed by the applicant. The directive may only include information required by the department of licensing to verify the applicant's identity and ownership information for vehicles and vessels. This information is limited to the:

- (i) Applicant's full legal name;
- (ii) Applicant's Washington driver's license or identicard number;
- (iii) Applicant's date of birth;
- (iv) Vehicle identification number and license plate number for each vehicle solely or jointly registered to the applicant; and
- (v) Hull identification number or vessel document number and vessel decal number for each vessel solely or jointly registered to the applicant.

(b) Upon certification of the applicants, the secretary of state shall transmit completed and signed directives to the department of licensing.

(c) Within 30 days of receiving a completed and signed directive, the department of licensing shall update the applicant's address on registration and licensing records.

(d) Applicants are not required to sign the directive to the department of licensing to be certified as a program participant.

(5) A person who knowingly provides false or incorrect information upon making an application or falsely attests in an application that disclosure of the applicant's address would endanger (a) the applicant's safety or the safety of the applicant's children or the minor or incapacitated person on whose behalf the application is made, (b) the safety of any election official as described in RCW 9A.46.020 or 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.46.020 or 9A.90.120(2)(b) (iii) or (iv), (c) the safety of any criminal justice participant as defined in RCW 9A.46.020 who is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv) or of any criminal justice participant as defined in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), or (d) the safety of any person as described in subsection (1)(a)(i)(D) of this section who is a target for threats or harassment, or any family

members residing with such person, shall be punished under RCW 40.16.030 or other applicable statutes."

On page 1, line 1 of the title, after "harassment;" strike the remainder of the title and insert "amending RCW 9A.46.020; and reenacting and amending RCW 40.24.030."

MOTION

Senator Pedersen moved that the following amendment no. 701 by Senator Padden be adopted:

On page 2, line 11, after "(3)" insert "Legally protected speech, such as gathering or demonstrating in front of an election facility, or observing ballot submittal or ballot counting, does not on its face constitute harassment.

(4)"

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Senators Pedersen and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 701 by Senator Padden on page 2, line 11 to the committee striking amendment.

The motion by Senator Pedersen did not carry and amendment no. 701 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 698 by Senator Wagoner be adopted:

On page 2, line 31, after "RCW." insert "Solely for the purposes of this act, an election official also includes a person collecting signatures for an initiative or referendum petition."

Senators Wagoner and Wilson, J. spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 698 by Senator Wagoner on page 2, line 31 to the committee striking amendment.

The motion by Senator Wagoner did not carry and amendment no. 698 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following amendment no. 706 by Senator Schoesler be adopted:

On page 2, line 31, after "RCW." insert "Solely for the purposes of this act, an election official also includes election observers."

Senator Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 706 by Senator Schoesler on page 2, line 31 to the committee striking amendment.

The motion by Senator Schoesler did not carry and amendment no. 706 was not adopted by voice vote.

MOTION

Senator Dhingra moved that the following amendment no. 705 by Senator Dhingra be adopted:

On page 5, after line 34, insert the following:

"NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 6, line 2, after "9A.46.020;" strike "and"

On page 6, line 3, after "40.24.030" insert "; and declaring an emergency"

Senators Dhingra and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 705 by Senator Dhingra on page 5, after line 34 to the committee striking amendment.

The motion by Senator Dhingra carried and amendment no. 705 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice as amended to Substitute House Bill No. 1241.

The motion by Senator Dhingra carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1241 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President resumed the Chair, Lt. Governor Heck presiding.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1241.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1241 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, McCune, Padden and Wagoner

SUBSTITUTE HOUSE BILL NO. 1241, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1054, by Representatives Walen, Simmons, Ryu, Bateman, Ramel, Doglio, Macri, Gregerson, Springer, Thai, Kloba, and Donaghy

Addressing the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 64.32 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, an association of apartment owners may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy an apartment.

NEW SECTION. Sec. 2. A new section is added to chapter 64.34 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a unit owners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a unit.

NEW SECTION. Sec. 3. A new section is added to chapter 64.38 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a homeowners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a lot.

NEW SECTION. Sec. 4. A new section is added to chapter 64.90 RCW to read as follows:

Except for occupancy limits on short-term rentals as defined in RCW 64.37.010 and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code, city ordinance, or county ordinance, a unit owners association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that regulates or limits the number of unrelated persons that may occupy a unit.

FORTY SIXTH DAY, FEBRUARY 22, 2024

NEW SECTION. Sec. 5. If chapter . . . (Engrossed Substitute Senate Bill No. 5796), Laws of 2024 is enacted by June 30, 2024, sections 1 through 3 of this act expire January 1, 2028."

On page 1, line 3 of the title, after "persons;" strike the remainder of the title and insert "adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; and providing a contingent expiration date."

MOTION

Senator Wilson, L. moved that the following amendment no. 699 by Senator Wilson, L. be adopted:

On page 2, after line 12, insert the following:

"NEW SECTION. Sec. 5. If any provision of this act or its application to any person, contract, or circumstance is held invalid, the remainder of the act or the application of the provision to other persons, contracts, or circumstances shall also be held invalid."

Renumber the remaining section consecutively and correct any internal references accordingly.

Senator Wilson, L. spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 699 by Senator Wilson, L. on page 2, after line 12 to the committee striking amendment.

The motion by Senator Wilson, L. did not carry and amendment no. 699 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1054.

The motion by Senator Dhingra carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1054 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1054 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1054 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

HOUSE BILL NO. 1054, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2136, by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Ormsby, Schmidt, Doglio, Farivar, Berry, Simmons, Reed, Ramel, Mena, Goodman, Berg, Fosse, Reeves, Pollet, and Kloba)

Concerning prevailing wage sanctions, penalties, and debarment.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Substitute House Bill No. 2136 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2136.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2136 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Padden, Schoesler and Wagoner

SUBSTITUTE HOUSE BILL NO. 2136, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2296, by House Committee on Local Government (originally sponsored by Representatives Griffey, Wylie, Couture, Harris, and Leavitt)

Extending the comprehensive plan revision schedule for select local governments.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 2296 was advanced to third reading, the

second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2296.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2296 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:36 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Friday, February 23, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 23, 2024

The Senate was called to order at 9:01 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Aanchal Batwara and Mr. Bradley Chen, presented the Colors.

The Senate was led in the Pledge of Allegiance by Page Mr. Jack Rust, nephew of Deputy Secretary Colleen Pehar.

The prayer was offered by Reverend Elizabeth Riley, Rector, Emmanuel Church, Mercer Island.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 22, 2024

SB 6316 Prime Sponsor, Senator Pedersen: Concerning the state route number 520 corridor. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6316 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Lovelett; Padden; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Kauffman; MacEwen; Nobles and Valdez.

Referred to Committee on Ways & Means.

February 22, 2024

ESHB 1493 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning impaired driving. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Ways & Means.

February 22, 2024

HB 1963 Prime Sponsor, Representative Ramos: Prohibiting license plate covers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hansen; Hawkins; Kauffman; Lovelett; Nobles; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato; MacEwen and Padden.

Referred to Committee on Rules for second reading.

February 22, 2024

SHB 1989 Prime Sponsor, Committee on Transportation: Concerning a graffiti abatement and reduction pilot program. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; MacEwen; Nobles; Padden; Wilson, C. and Wilson, J.

MINORITY recommendation: Do not pass. Signed by Senator Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovelett.

Referred to Committee on Rules for second reading.

February 22, 2024

E2SHB 2099 Prime Sponsor, Committee on Appropriations: Concerning state identification cards for persons in state custody or care. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Ways & Means.

February 22, 2024

HB 2318 Prime Sponsor, Representative Orcutt: Concerning state route number 501. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 22, 2024

MR. PRESIDENT:
The House has passed:

SENATE BILL NO. 5508,
SENATE BILL NO. 5885,
SENATE BILL NO. 5886,
SUBSTITUTE SENATE BILL NO. 5935,
SENATE BILL NO. 5970,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5974,
SENATE BILL NO. 5982,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6007,

and the same are herewith transmitted.
BERNARD DEAN, Chief Clerk

February 22, 2024

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1913,
BERNARD DEAN, Chief Clerk

and the same are herewith transmitted.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1913 by Representatives Cortes, Ryu, Reed, Reeves, and Pollet

AN ACT Relating to expiring a tax preference; amending RCW 82.04.44525; and providing an expiration date.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Padden moved adoption of the following resolution:

SENATE RESOLUTION
8680

By Senators Padden, Lovick, King, Short, Boehnke, Wagoner, Dozier, Warnick, Braun, and Torres

WHEREAS, In Washington state we have no shortage of outstanding women leaders whose dedication and participation in our political process has brought us a brighter and more hopeful Washington; and

WHEREAS, Linda Smith was born in LaJunta, Colorado, in 1950 and moved with her family to White Salmon, Washington; and

WHEREAS She graduated from Fort Vancouver High School; and

WHEREAS, She and her husband owned and managed a group of tax preparation offices in southern Washington; and

WHEREAS, She was elected to the Washington state House of Representatives in a special election in 1983; and

WHEREAS, Linda was elected to the Washington State Senate in 1987 giving her party the majority in the state senate where her work included sponsoring legislation promoting children, families, the elderly, and agriculture; and

WHEREAS, In 1992 and 1993 she was a successful proponent of Washington Initiative Measure No. 601 and Washington Initiative Measure No. 134; and

WHEREAS, I-601 successfully limited state expenditures by inflation rate and population growth for years and I-134 instituted regulations and accountability for political contributions and campaign expenditures; and

WHEREAS, She was sued over I-601 and she raised the money to defend it and won at the state Supreme Court; and

WHEREAS, She was known for getting things done because she would never bargain away principles when she got behind a cause; and

WHEREAS, She was elected to the United States Congress in the general election of 1994 after perhaps the first successful congressional primary write-in campaign in United States history; and

WHEREAS, She represented Washington's 3rd Congressional District where she served for two terms leading on issues like her "Clean Up Congress Act" to implement campaign finance reform, she led a bipartisan effort to defeat the historic influence tobacco had in Congress, she ended the practice of congressional leaders passing out special interest PAC checks on the floor of Congress, pushing for a balanced budget amendment, bringing reason to the Endangered Species Act, she chaired the Small Business committee on small business taxation, relentlessly worked to lower taxes, worked to reduce regulations on small business owners, and was a leader on international human rights; and

WHEREAS, After serving in Congress, Linda started Shared Hope International, an organization that seeks to prevent child sex trafficking, restore worth and dignity to those caught in the child sex trade, and bring justice to victims and education and prevention tools to the public; and

WHEREAS, In 2001 she formed the War Against Trafficking Alliance, an organization to coordinate regional and international efforts to fight sex trafficking; and

WHEREAS, Linda is a published author on the scourge of sex trafficking; and

WHEREAS, Linda has been a tireless advocate for those with no voice, seeking prevention, justice, and restoration for families and communities affected by sex trafficking;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor Linda Smith's contributions in state and federal government for advocating for children and families, and her contributions to uplift and restore individuals and families caught in the vicious cycle of sex trafficking.

Senators Padden, Torres, Fortunato and McCune spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8680.

The motion by Senator Padden carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

FORTY SEVENTH DAY, FEBRUARY 23, 2024

The President Pro Tempore introduced Ms. Yvonne Hubbell, Shared Hope International's "Girls Like Me" campaign advocate and former victim of child sex trafficking; Dr. Christine Harmon, Emeritus Board Member, Shared Hope International; Mr. Bill Dunning, Board of Directors member, Shared Hope International; and Mr. Ed Parke, Breaking Free Ministries Board member who were seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Billig moved that Marty J. Dickinson, Senate Gubernatorial Appointment No. 9402, be confirmed as a member of the Washington State University Board of Regents.

Senator Billig spoke in favor of the motion.

MOTIONS

On motion of Senator Wagoner, Senator MacEwen was excused.

On motion of Senator Nobles, Senator Randall was excused.

APPOINTMENT OF MARTY J. DICKINSON

The President Pro Tempore declared the question before the Senate to be the confirmation of Marty J. Dickinson, Senate Gubernatorial Appointment No. 9402, as a member of the Washington State University Board of Regents.

The Secretary called the roll on the confirmation of Marty J. Dickinson, Senate Gubernatorial Appointment No. 9402, as a member of the Washington State University Board of Regents and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Lovelett

Marty J. Dickinson, Senate Gubernatorial Appointment No. 9402, having received the constitutional majority was declared confirmed as a member of the Washington State University Board of Regents.

INTRODUCTION OF SPECIAL GUEST

The President Pro Tempore welcomed and introduced The Honorable Linda Smith, former U.S. Representative, Third Congressional District, and former State Senator, who was present in the wings of the Senate.

The Senate rose in recognition of The Honorable Linda Smith and her efforts to increase awareness of and prevent human sex trafficking in Washington and across the world.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Billig moved that Luc Jasmin, Senate Gubernatorial Appointment No. 9364, be confirmed as a member of the Human Rights Commission.

Senator Billig spoke in favor of the motion.

MOTIONS

On motion of Senator Wagoner, Senator Fortunato was excused.

On motion of Senator Nobles, Senator Lovelett was excused.

APPOINTMENT OF LUC JASMIN

The President declared the question before the Senate to be the confirmation of Luc Jasmin, Senate Gubernatorial Appointment No. 9364, as a member of the Human Rights Commission.

The Secretary called the roll on the confirmation of Luc Jasmin, Senate Gubernatorial Appointment No. 9364, as a member of the Human Rights Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Fortunato and Lovelett

Luc Jasmin, Senate Gubernatorial Appointment No. 9364, having received the constitutional majority was declared confirmed as a member of the Human Rights Commission.

MOTION

At 9:32 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 10:47 a.m. by President Heck.

SECOND READING

SENATE BILL NO. 5950, by Senators Robinson, Nobles, and Trudeau

Making 2023-2025 fiscal biennium supplemental operating appropriations.

MOTIONS

On motion of Senator Robinson, Substitute Senate Bill No. 5950 was substituted for Senate Bill No. 5950 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5950, by Committee on Senate Ways & Means (originally sponsored by Senators Robinson, Nobles, and Trudeau)

Senator Robinson moved that the following amendment no. 727 by Senator Robinson be adopted:

On page 5, beginning on line 1, after "shall" strike all material through "biennium" on line 7 and insert "report its findings and recommendations to the governor and the appropriate committees of the legislature by June 30, 2026"

Correct any internal references accordingly.

Senator Robinson spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 727 by Senator Robinson on page 5, line 1 to Substitute Senate Bill No. 5950.

The motion by Senator Robinson carried and amendment no. 727 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 718 by Senator Fortunato be adopted:

On page 8, line 4, increase the General Fund—State Appropriation (FY 2025) by \$150,000

Adjust the total appropriation accordingly.

On page 17, after line 26, insert the following:

"(32) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the administrative office of the courts to study the judicial impacts of requiring, in every marriage dissolution case, separate judges to determine parenting plans and the distribution of property and liabilities. At a minimum, the study must include impacts on facility, personnel, procedural, and training costs. The administrative office of the courts must submit a final report to the appropriate committees of the legislature by June 30, 2025."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Robinson spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 718 by Senator Fortunato on page 8, line 4 to Substitute Senate Bill No. 5950.

The motion by Senator Fortunato did not carry and amendment no. 718 was not adopted by voice vote.

MOTION

Senator Kuderer moved that the following amendment no. 725 by Senator Kuderer be adopted:

On page 21, beginning on line 23, after "59,18,640." strike all material through "counsel." on line 25

Senator Kuderer spoke in favor of adoption of the amendment.
Senator Gildon spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 725 by Senator Kuderer on page 21, line 23 to Substitute Senate Bill No. 5950.

The motion by Senator Kuderer carried and amendment no. 725 was adopted on a rising vote.

MOTION

Senator Rivers moved that the following amendment no. 732 by Senator Rivers be adopted:

On page 56, line 31, increase the General Fund—State Appropriation (FY 2024) by \$300,000

Adjust the total appropriation accordingly.

On page 62, line 28, after "(19)" strike "\$958,000" and insert "~~(\$958,000)~~ \$1,258,000"

Senator Rivers spoke on adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, amendment no. 732 by Senator Rivers on page 56, line 31 to Substitute Senate Bill No. 5950 was withdrawn.

MOTION

Senator Wilson, J. moved that the following amendment no. 715 by Senator Wilson, J. be adopted:

On page 56, line 33, decrease the General Fund—State Appropriation (FY 2025) by \$1,500,000

Adjust the total appropriation accordingly.

On page 69, line 22, after "stays." insert "Of the amount provided in this subsection for fiscal year 2025, \$1,500,000 must be granted to a housing readiness program serving individuals experiencing homelessness in the city of Longview. Funding may be used to operate severe weather shelters, housing navigation, case management, laundry and hygiene facilities, connection to other social services, and other programs serving unhoused individuals in Cowlitz county."

On page 90, beginning on line 27, strike all of subsection (95)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 528, line 7, increase the General Fund—State Appropriation (FY 2025) by \$1,500,000

Adjust the total appropriation accordingly.

On page 541, after line 31, insert the following:

"(59) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to remove sea lions under the marine mammal protection act section 120(f) permit in tributaries of the Columbia river where federally listed salmon spawn and in the mainstem above river mile 112. The department must coordinate with treaty tribes and adjacent state fish and wildlife agencies on the implementation of the federal permit to remove sea lions. The department must also engage in avian predation forums in the Columbia river basin to reduce avian predation on salmon smolts where predation is documented to hinder salmon recovery."

Senators Wilson, J. and Robinson spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 715 by Senator Wilson, J. on page 56, line 33 to Substitute Senate Bill No. 5950.

FORTY SEVENTH DAY, FEBRUARY 23, 2024

The motion by Senator Wilson, J. carried and amendment no. 715 was adopted by voice vote.

MOTION

Senator Conway moved that the following amendment no. 726 by Senators Conway, Frame, Kuderer and Trudeau be adopted:

On page 56, line 33, increase the General Fund—State Appropriation (FY 2025) by \$250,000

Adjust the total appropriation accordingly.

On page 94, after line 17, insert the following:

"(113) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to evaluate alternative methods for calculating average median household income. The department must include in its evaluation the feasibility of using median household income data by state legislative district as published by the United States census bureau. The department must submit a report of recommendations to the appropriate committees of the legislature by June 30, 2025."

Senator Conway spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 726 by Senators Conway, Frame, Kuderer and Trudeau on page 56, line 33 to Substitute Senate Bill No. 5950.

The motion by Senator Conway carried and amendment no. 726 was adopted by voice vote.

MOTION

Senator Hunt moved that the following amendment no. 729 by Senator Hunt be adopted:

On page 173, line 18, decrease the General Fund—State Appropriation (FY 2024) by \$83,000

On page 173, line 20, decrease the General Fund—State Appropriation (FY 2025) by \$85,000

Adjust the total appropriation accordingly.

On page 176, at the beginning of line 1, strike all material through "\$247,000" on line 2 and insert "~~((140))~~ (9) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000"

On page 176, beginning on line 8, after "state" strike "~~(government buildings)~~ facilities" and insert "government buildings"

On page 766, after line 7, insert the following:

"NEW SECTION. Sec. 729. A new section is added to 2023 c 475 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—
BUSINESS ENTERPRISES REVOLVING ACCOUNT**

General Fund—State Appropriation (FY 2024)	\$83,000
General Fund—State Appropriation (FY 2025)	\$85,000
TOTAL APPROPRIATION	\$168,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the business enterprises revolving account created in RCW 74.18.230. Funds in this section are provided solely for rent fees and charges for blind business enterprise program licensees at state off-campus facilities."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Hunt spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 729 by Senator Hunt on page 173, line 18 to Substitute Senate Bill No. 5950.

The motion by Senator Hunt carried and amendment no. 729 was adopted by voice vote.

MOTION

Senator Gildon moved that the following amendment no. 719 by Senator Gildon be adopted:

On page 259, line 12, after "(10)" insert "(a)"

On page 259, beginning on line 13, after "2025" strike all material through "lapse" on line 16 and insert "is provided solely for the department to conduct a feasibility study regarding a resource data tool for the purpose of digitally connecting members of the public to state services in consultation with the advisory group created in (b) of this subsection. The feasibility study shall include recommendations for a mobile application and considerations for language access, alternative communication options, and equitable access for individuals living with disabilities. In making recommendations, the study shall include an examination of other available digital public resource.

(b) The department shall convene an advisory group for the purposes of participating in the decision-making process regarding the feasibility study directed in this subsection. The advisory group shall be composed of representatives from state agencies and the community in the area of system referral and resource navigation, and individuals with lived experience receiving public benefits. At a minimum, the department shall invite representatives from:

(i) Washington information network 211;

(ii) The state 911 coordination office established in the emergency management division of the state military department;

(iii) The department of health and the health care authority involved in the statewide 988 behavioral health crisis response and suicide prevention line;

(iv) WithinReach;

(v) Community living connections;

(vi) First five fundamentals;

(vii) Washington communities for children;

(viii) Washington resource data collaborative;

(ix) Help me grow; and

(x) Accountable communities of health.

(c) The advisory group shall inform and, upon a majority vote, approve the feasibility study. At a minimum, the feasibility study must include a plan and framework for launching the resource data tool, a web portal, and a mobile application. The department shall submit the approved study to the office of the governor and appropriate committees of the legislature by December 1, 2024."

Senators Gildon and Robinson spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 719 by Senator Gildon on page 259, line 12 to Substitute Senate Bill No. 5950.

The motion by Senator Gildon carried and amendment no. 719 was adopted by voice vote.

MOTION

Senator Saldaña moved that the following amendment no. 731 by Senator Saldaña be adopted:

On page 366, line 22, increase the General Fund—State Appropriation (FY 2025) by \$5,000,000

Adjust the total appropriation accordingly.

On page 373, after line 25, insert the following:

"(23) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to support the law enforcement assisted diversion program for drug possession and public use in Seattle. These funds must not supplement, nor supplant, current levels of local funding in the city of Seattle budget."

Senator Saldaña spoke on adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Saldaña and without objection, amendment no. 731 by Senator Saldaña on page 366, line 22 to Substitute Senate Bill No. 5950 was withdrawn.

MOTION

Senator Robinson moved that the following amendment no. 714 by Senator Robinson be adopted:

On page 393, line 28, increase the General Fund—Private/Local Appropriation by \$134,000

Adjust the total appropriation accordingly.

On page 429, after line 15, insert the following:

"(165) \$134,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5853 (behav crisis services/minors). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse."

Senator Robinson spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 714 by Senator Robinson on page 393, line 28 to Substitute Senate Bill No. 5950.

The motion by Senator Robinson carried and amendment no. 714 was adopted by voice vote.

MOTION

Senator Robinson moved that the following amendment no. 713 by Senator Robinson be adopted:

On page 428, at the beginning of line 32, strike "amounts" and insert "amount"

On page 428, beginning on line 32, after "subsection," strike "\$359,000 of the general fund—state appropriation for fiscal year 2024 and"

On page 428, line 34, after "2025" strike "are" and insert "is"

Senator Robinson spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 713 by Senator Robinson on page 428, line 32 to Substitute Senate Bill No. 5950.

The motion by Senator Robinson carried and amendment no. 713 was adopted by voice vote.

MOTION

Senator Wilson, C. moved that the following amendment no. 728 by Senator Wilson, C. be adopted:

On page 474, beginning on line 3, strike all of subsection (18) and insert the following:

"(18) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit entity doing statewide gender-responsive, race equity training and girls' advocacy programming in the juvenile rehabilitation system. The entity must provide:

(a) Girl-centered, antibias training for adults working with girls;

(b) Youth stipends for girls involved in advocacy programming; and

(c) Program facilitation for girls in the continuum of the juvenile rehabilitation system."

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 728 by Senator Wilson, C. on page 474, line 3 to Substitute Senate Bill No. 5950.

The motion by Senator Wilson, C. carried and amendment no. 728 was adopted by voice vote.

MOTION

Senator Dozier moved that the following amendment no. 717 by Senator Dozier be adopted:

On page 500, line 34, increase the Model Toxics Control Operating Account—Local Appropriation by \$501,000

Adjust the total appropriation accordingly.

On page 516, after line 17, insert the following:

"(67) \$501,000 of the model toxics control operating account—local appropriation is provided solely for cleanup costs at the Stillwater holdings Chevron site in Walla Walla."

Senators Dozier and Robinson spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 717 by Senator Dozier on page 500, line 34 to Substitute Senate Bill No. 5950.

The motion by Senator Dozier carried and amendment no. 717 was adopted by voice vote.

MOTION

Senator Saldaña moved that the following amendment no. 730 by Senator Saldaña be adopted:

On page 555, line 38, increase the General Fund—State Appropriation (FY 2025) by \$650,000

On page 556, line 10, decrease the Climate Commitment Account—State Appropriation by \$650,000

Adjust the total appropriation accordingly.

On page 563, beginning on line 37, after "of the" strike all material through "2025, and" on line 38 and insert "general fund—state appropriation for fiscal year 2025"

On page 564, beginning on line 3, after "of the" strike all material through "2025, and" on line 4 and insert "general fund—state appropriation for fiscal year 2025"

Senator Saldaña spoke in favor of adoption of the amendment.

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The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 730 by Senator Saldaña on page 555, line 38 to Substitute Senate Bill No. 5950.

The motion by Senator Saldaña carried and amendment no. 730 was adopted by voice vote.

MOTION

Senator Dozier moved that the following amendment no. 716 by Senator Dozier be adopted:

On page 569, at the beginning of line 25, strike "and"

On page 569, line 27, after "gallons" insert "and less than 10,000 gallons; and

(iv) \$4,500 to recipients with annual agricultural fuel use greater than or equal to 10,000 gallons"

Correct any internal references accordingly.

Senators Dozier and Nguyen spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 716 by Senator Dozier on page 569, line 25 to Substitute Senate Bill No. 5950.

The motion by Senator Dozier carried and amendment no. 716 was adopted by voice vote.

MOTION

Senator Muzzall moved that the following amendment no. 720 by Senator Muzzall be adopted:

On page 769, after line 22, insert the following:

“NEW SECTION. **Sec. 736.** A new section is added to 2023 c 4752 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT— CONTRIBUTIONS TO RETIREMENT SYSTEMS—PERS AND TRS PLAN 1 BENEFIT INCREASE

General Fund—State Appropriation (FY 2025)	\$12,561,000
General Fund—Federal Appropriation	\$514,000
General Fund—Private/Local Appropriation.....	\$35,000
Other Appropriated Funds	\$834,000
TOTAL APPROPRIATION	\$16,516,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the increased contribution rate requirements associated with the enactment of Substitute House Bill No. 1985 (PERS/TRS 1 benefit increase). The office of financial management shall adjust agency appropriations in this act accordingly. If the bill is not enacted by June 30, 2024, the amounts appropriated by this section shall lapse.”

Senator Muzzall spoke on passage of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Muzzall and without objection, amendment no. 720 by Senator Muzzall on page 769, line 22 to Substitute Senate Bill No. 5950 was withdrawn.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Substitute Senate Bill No. 5950 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson, Wilson, L., Hawkins, Nguyen, Gildon and Mullet spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5950.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5950 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators McCune, Padden, Schoesler and Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5950, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1226, by Representatives Chapman and Fitzgibbon

Providing for recreational licensing of smelt, crawfish, and carp.

The measure was read the second time.

MOTION

Senator Salomon moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that as Washington's growing population accesses limited natural resources, there is a need to increase compliance, and provide education, on appropriate gear, seasons, and species take limits.

(2) The legislature further finds that previously unregulated species are under increased recreational harvest. Recreational licensing is an appropriate mechanism to educate the public and preserve opportunity in the future.

(3) The legislature further finds that eulachon, also known as Pacific smelt and Columbia river smelt, are listed as a threatened species under the endangered species act and licensing requirements are needed to provide angler education and allow for better regulation and monitoring to prevent them from becoming endangered.

(4) The legislature also finds that licensing for carp will aid in enforcement of illegal fishing where people fishing for regulated species without a required license have claimed to be fishing for carp, thereby negatively affecting the fisheries of other regulated species.

(5) The legislature further finds that licensing for crawfish will provide the public with education that enables them to distinguish between native and invasive crawfish species, facilitating the removal of invasive crawfish.

Sec. 2. RCW 77.32.010 and 2019 c 290 s 3 are each amended to read as follows:

(1) Except as otherwise provided in this chapter or department rule, a recreational license issued by the director is required to hunt, fish, or take wildlife or seaweed. A ~~((recreational fishing or shellfish license is not required for carp, freshwater smelt, and crawfish, and a))~~ hunting license is not required for bullfrogs.

(2) A pass or permit issued under RCW 79A.80.020, 79A.80.030, or 79A.80.040 is required to park or operate a motor vehicle on a recreation site or lands, as defined in RCW 79A.80.010.

(3) The commission may, by rule, indicate that a fishing permit issued to a nontribal member by the Colville Tribes shall satisfy the license requirements in subsection (1) of this section on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods, and that a Colville Tribes tribal member identification card shall satisfy the license requirements in subsection (1) of this section on all waters of Lake Rufus Woods.

(4) A recreational fishing license is not required to fish for carp in Moses Lake or Vancouver Lake."

On page 1, line 2 of the title, after "carp;" strike the remainder of the title and insert "amending RCW 77.32.010; and creating a new section."

The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks to House Bill No. 1226.

The motion by Senator Salomon carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, House Bill No. 1226 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, Wilson, J., Muzzall and Warnick spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Fortunato was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1226 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1226 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short,

Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1226, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1455, by Representatives Stonier, Berry, Farivar, Rude, Fey, Reed, Morgan, Thai, Fosse, Pollet, Macri, and Bateman

Eliminating child marriage.

The measure was read the second time.

MOTION

Senator Padden moved that the following amendment no. 700 by Senator Padden be adopted:

On page 1, line 10, after "~~((seventeen))~~" strike "18 years is void ~~((except where~~" and insert "17 years is void except ~~((where~~"

On page 1, line 12, after "~~necessity~~)" insert "if a superior court judge determines there is clear, cogent, and convincing evidence of the following: (a) The marriage is voluntary; (b) there is no indicia of undue force, coercion, or distress; and (c) parental approval has been granted. If applicable, the judicial determination shall be made by the presiding judge of the family court"

On page 2, beginning on line 29, strike all of section 2

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, line 8, after "over" insert "or the applicants have obtained a court order as specified under RCW 26.04.010"

On page 1, line 2 of the title, after "26.04.010" strike ", 26.04.130,"

Senator Padden spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

MOTION

On motion of Senator Wilson, C., Senator Nobles was excused.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 700 by Senator Padden on page 1, line 10 to House Bill No. 1455.

The motion by Senator Padden did not carry and amendment no. 700 was not adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, House Bill No. 1455 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford, Wagoner and Trudeau spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1455.

ROLL CALL

FORTY SEVENTH DAY, FEBRUARY 23, 2024

The Secretary called the roll on the final passage of House Bill No. 1455 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Holy

The Vice President Pro Tempore assumed the chair, Senator Lovick presiding.

HOUSE BILL NO. 1455, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2022, by House Committee on Appropriations (originally sponsored by Representatives Reed, Berry, Ryu, Ormsby, Reeves, and Santos)

Concerning construction crane safety.

The measure was read the second time.

MOTION

Senator Keiser moved that the following striking amendment no. 723 by Senator Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is significant opportunity to improve worker and public safety in tower crane assembly, disassembly, and reconfiguration. The Seattle tower crane incident on April 27, 2019, killing two members of the public, Sarah Pantip Wong and Alan Jay Justad, and two iron workers, Travis Daniel Corbet and Andrew W. Yoder, exposed weaknesses in construction safety efforts. Requirements for permitting, street closures, and penalties are created to ensure that assembly, disassembly, and reconfiguration of tower cranes proceed safely.

NEW SECTION. Sec. 2. A new section is added to chapter 49.17 RCW to read as follows:

Sections 3 through 10 of this act apply to construction crane safety.

Sec. 3. RCW 49.17.400 and 2007 c 27 s 2 are each amended to read as follows:

The definitions in this section apply throughout ~~((RCW 49.17.400 through 49.17.430))~~ this section and sections 4 through 7 of this act unless the context clearly requires otherwise.

(1) "Apprentice operator or trainee" means a crane operator who has not met requirements established by the department under RCW 49.17.430.

(2) "Attachments" includes, but is not limited to, crane-attached or suspended hooks, magnets, grapples, clamshell buckets, orange peel buckets, concrete buckets, drag lines, personnel platforms, augers, or drills and pile-driving equipment.

(3) "Certified crane inspector" means a crane inspector who has been certified by the department.

(4) "Construction" means all or any part of excavation, construction, erection, alteration, repair, demolition, and dismantling of buildings and other structures and all related operations; the excavation, construction, alteration, and repair of sewers, trenches, caissons, conduits, pipelines, roads, and all related operations; the moving of buildings and other structures, and the construction, alteration, repair, or removal of wharfs, docks, bridges, culverts, trestles, piers, abutments, or any other related construction, alteration, repair, or removal work. "Construction" does not include manufacturing facilities or powerhouses.

(5) "Crane" means power-operated equipment used in construction that can hoist, lower, and horizontally move a suspended load. "Crane" includes, but is not limited to: Articulating cranes, such as knuckle-boom cranes; crawler cranes; floating cranes; cranes on barges; locomotive cranes; mobile cranes, such as wheel-mounted, rough-terrain, all-terrain, commercial truck mounted, and boom truck cranes; multipurpose machines when ~~((configured))~~ used to ~~((hoist))~~ lift and lower ~~((by means of a winch or hook and))~~ a suspended load, or horizontally move a suspended load; industrial cranes, such as carry-deck cranes; dedicated pile drivers; service/mechanic trucks with a hoisting device; a crane on a monorail; tower cranes, such as fixed jib, hammerhead boom, luffing boom, and self-erecting; pedestal cranes; portal cranes; overhead and gantry cranes; straddle cranes; side-boom tractors; derricks; and variations of such equipment.

(6) "Crane operator" means an individual engaged in the operation of a crane.

(7) "Professional engineer" means a professional engineer as defined in RCW 18.43.020.

(8) "Qualified crane operator" means a crane operator who meets the requirements established by the department under RCW 49.17.430.

(9) "Safety or health standard" means a standard adopted under this chapter.

(10) "Assembly, disassembly, and reconfiguration" means the assembly, disassembly, or reconfiguration of cranes covered under this section and sections 4 through 7 of this act.

(11) "Assembly/disassembly work zone" is applicable to tower cranes and means the total area that the crane and/or components or attachments could reach if the crane were to collapse. Height of the crane, length of boom, attachments, and loads, shall all be considered to calculate the area, which can shrink or grow as the work progresses.

(12) "Crane owner" means the company or entity that has custodial control of a crane by virtue of lease or ownership.

(13) "Prime contractor" means the person or entity that has overall responsibility for the construction of the project, its planning, quality, and completion and serves as the site supervisor.

(14) "Reconfiguration" means adding or subtracting components that alter the height, length, or capacity of a crane. The set-up of a crane is not considered reconfiguration.

NEW SECTION. Sec. 4. A new section is added to chapter 49.17 RCW to read as follows:

(1) The department shall establish, by rule, a permit for the performance of any work involving the operation, assembly, disassembly, or reconfiguration of a tower crane, subject to the requirements of subsection (2) of this section.

(2) The tower crane permit established by rule under subsection (1) of this section must include the following provisions, at a minimum:

(a) Require a complete application, subject to the requirements of subsection (5) of this section;

(b) Require a safety conference prior to issuing the permit, subject to the requirements of subsection (6) of this section;

(c) Require the department to issue or deny a permit, subject to the requirements of subsections (7) and (8) of this section;

(d) Allow the department to suspend or revoke a permit, subject to the requirements of subsection (9) of this section;

(e) Require the department to provide written notice of denials, suspensions, or revocation of a permit specifying the reasons for the denial, suspension, or revocation;

(f) Allow appeals of a denial, suspension, or revocation of a permit, subject to the requirements of subsection (10) of this section;

(g) Require advance notification to the department of any assembly, disassembly, or reconfiguration of a tower crane and require confirmation from the department to proceed;

(h) Allow the department to require additional information or updated safety conferences before issuing a confirmation to proceed under (g) of this subsection;

(i) Require the department to inspect permitted activities for the tower crane once assembled, following any reconfiguration, or any other permitted activities; and

(j) Require that if the department identifies deficiencies that directly affect the structural integrity or safe operation of a tower crane, the deficiencies be addressed immediately, and the tower crane not be operated until the deficiencies are corrected.

(3) Beginning January 1, 2026, a prime contractor must obtain a permit from the department, as established under this section, prior to performing or allowing the performance of any work involving the operation, assembly, disassembly, or reconfiguration of a tower crane. An exemption from the permit requirement may be allowed by the department for exceptions as determined by the department.

(4)(a) The prime contractor must possess a permit, as required under subsection (3) of this section, at all times a tower crane is present on a construction worksite.

(b) If the prime contractor's permit is suspended or revoked, the tower crane may not be used in operations, nor can assembly, disassembly, or reconfiguration take place until all deficiencies have been addressed and the permit is reinstated by the department.

(5) The prime contractor must apply for a permit required under subsection (3) of this section in a manner and form prescribed by the department that must include, but is not limited to, the following:

(a) Name of the assembly/disassembly director;

(b) Beginning the later of January 1, 2027, or 12 months after the date an assembly/disassembly director program is approved by a nationally accredited organization recognized by the department, the application must include a copy of the assembly/disassembly director's national assembly/disassembly director certification; and

(c) Certification from the prime contractor that all assembly, disassembly, and reconfigurations will be performed with a technical representative of the distributor or manufacturer present to assure that such processes and operations are performed in accordance with manufacturer operation instructions and guidelines. The technical representative must be knowledgeable of assembly, disassembly, and reconfiguration procedures.

(6)(a) Prior to issuing a permit as required under subsection (3) of this section, the department must complete a safety permit conference, which may be conducted using remote videoconference technology, to ensure all parties involved with the assembly, disassembly, and reconfiguration of the tower crane are aware of the requirements and responsibilities under the permit, including manufacturer operation instructions and

guidelines, and recommended best practices. The department must establish the information and materials required to be submitted prior to the safety conference, the information and material required to be reviewed at the safety conference, and the required attendees at the safety conference.

(b) During the safety conference, at a minimum the following items must be evaluated:

(i) The potential risks of the procedures, including those addressed in the crane operating manual, as well as specific measures to be taken by the permit applicant and all entities required in the operation, assembly, disassembly, and reconfiguration of the tower crane to minimize these risks;

(ii) The written accident prevention programs of the permit applicant and all entities involved in the operation, assembly, disassembly, and reconfiguration of the tower crane;

(iii) The permit applicant's written job plan as required under RCW 49.17.440; and

(iv) For each employee directly involved with the permitted work, a review of their experience and qualifications, including a copy of the crane operator's license.

(7) The department shall issue a permit under this section within five working days of the initial project permit safety conference under subsection (6) of this section, if the application materials are complete and the materials presented by the prime contractor at the safety conference are complete. If the application or safety conference materials are not complete, the prime contractor must be given a written list, before leaving the safety conference, of the materials or information outstanding. The department shall then either issue the permit within five working days of receiving the outstanding materials or deny the permit in writing pursuant to the requirements under this chapter and rules established by the department. The department may issue conditional permits, including when specific information is not yet available.

(8) The department must deny a permit if the permit applicant has a record of safety and health violations which indicates that the permit applicant may not be maintaining a safe worksite or operation.

(9) The department must suspend or revoke a permit if the permit holder:

(a) Has failed to comply with applicable occupational health and safety standards or regulations involving tower cranes;

(b) Fails to notify the department in advance of the assembly, disassembly, or reconfiguration of a fixed tower crane as required under this section;

(c) Fails to ensure that a technical representative of the distributor or manufacturer of the tower crane who is knowledgeable of assembly, disassembly, and reconfiguration procedures was present during assembly, disassembly, or reconfiguration;

(d) Fails to immediately correct deficiencies directly affecting the structural integrity of a tower crane;

(e) Fails to correct deficiencies directly affecting the safe operation of a tower crane; or

(f) Has refused the department entry to a worksite that contains activity for which a permit is required.

(10)(a) A denial, suspension, or revocation of a permit may be appealed to department within 15 working days after the denial, suspension, or revocation order is communicated.

(b) The department shall hold a hearing at such place designated by the director or authorized representative for the convenience of the attending parties within 2 working days of the applicant's or suspended or revoked permit holder's appeal.

(c) The applicant or suspended or revoked permit holder has the burden of establishing that it qualifies for a permit.

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(d) The director or authorized representative shall preside at the hearing, which must be open to employees or employees' representatives.

(e) The applicant or permit holder shall notify the employees or employees' representatives of such hearing a reasonable time prior to the hearing, but in no case later than 24 hours prior to the hearing. Proof of such notification by the applicant or permit holder must be made at the hearing.

(f) The director or authorized representative shall issue a decision within 10 business days of the hearing. The director's or authorized representative's decision may affirm the order, reverse the order, or reverse the order with conditions to mitigate any deficiencies.

(g) The director's or authorized representative's decision is subject to appeal to the board of industrial insurance appeal under RCW 49.17.140.

Sec. 5. RCW 49.17.420 and 2007 c 27 s 4 are each amended to read as follows:

(1) The department shall establish, by rule, a crane certification program for cranes used in construction. In establishing rules, the department shall consult nationally recognized crane standards.

(2) The crane certification program must include, at a minimum, the following:

(a) The department shall establish certification requirements for crane inspectors, including an experience requirement, an education requirement, a training requirement, and other necessary requirements determined by the director;

(b) The department shall establish a process for certified crane inspectors to issue temporary certificates of operation for a crane and the department to issue a final certificate of operation for a crane after a certified crane inspector determines that the crane meets safety or health standards, including meeting or exceeding national periodic inspection requirements recognized by the department;

(c) Crane owners must ensure that cranes are inspected and load proof tested by a certified crane inspector at least annually and after any significant modification or significant repairs of structural parts. If the use of weights for a unit proof load test is not possible or reasonable, other recording test equipment may be used. In adopting rules implementing this requirement, the department may consider similar standards and practices used by the federal government;

(d) Tower cranes and tower crane assembly parts must be inspected by a certified crane inspector (~~both~~) prior to and following every assembly (and following erection), disassembly, and reconfiguration of a tower crane. Any issues identified throughout the procedure must be tracked and corrected according to this chapter and applicable department rule;

(e) Before installation of a nonstandard tower crane base, the engineering design of the nonstandard base shall be reviewed and acknowledged as acceptable by an independent professional engineer;

(f) A certified crane inspector must notify the department and the crane owner if, after inspection, the certified crane inspector finds that the crane does not meet safety or health standards. A certified crane inspector shall not attest that a crane meets safety or health standards until any deficiencies are corrected and the correction is verified by the certified crane inspector; and

(g) Inspection reports including all information and documentation obtained from a crane inspection shall be made available or provided to the department by a certified crane inspector upon request.

(3) Except as provided in RCW 49.17.410(2), any crane operated in the state must have a valid temporary or final

certificate of operation issued by the certified crane inspector or department posted in the operator's cab or station.

(4) Certificates of operation issued by the department under the crane certification program established in this section are valid for one year from the effective date of the temporary operating certificate issued by the certified crane inspector.

(5) This section does not apply to maritime cranes regulated by the department.

Sec. 6. RCW 49.17.440 and 2007 c 27 s 6 are each amended to read as follows:

(1) The department of labor and industries shall adopt rules necessary to implement ~~((RCW 49.17.400 through 49.17.430))~~ sections 3 through 7 of this act.

(2) The department shall adopt rules for tower crane assembly, disassembly, and reconfiguration including, but not limited to:

(a) A process for determining when the department will be present for the assembly, disassembly, and reconfiguration of a tower crane;

(b) Requirements that the prime contractors of construction projects acknowledge all applicable safety orders, crane manufacturer operation instructions and guidelines, written procedures from a registered professional structural engineer, and recommended practices prior to the assembly, disassembly, and reconfiguration of a tower crane;

(c) Requirements that the prime contractor of the construction project ensure that a qualified technical representative of the distributor or manufacturer who is knowledgeable of assembly, disassembly, and reconfiguration procedures will be present during assembly, disassembly, and reconfiguration of a tower crane to assure that such procedures are performed in accordance with manufacturer operation instructions and guidelines;

(d) Requiring prime contractors of construction projects to follow crane manufacturer operation instructions and guidelines or alternate plans/instructions approved by a registered professional engineer when assembling, disassembling, and reconfiguring a tower crane;

(e) Requiring the presence of an assembly/disassembly director at every tower crane assembly, disassembly, and reconfiguration to directly oversee all work performed. The assembly/disassembly director may not serve in any other capacity while directly supervising a tower crane assembly, disassembly, or reconfiguration procedure;

(f) Conducting programmed inspections of workplaces that contain tower cranes;

(g) Establishing requirements for the maximum allowable wind speed for tower crane assembly, disassembly, and reconfiguration;

(h) Establishing requirements for a written job plan that addresses the requirements of the manufacturer's manual tailored to the site conditions where the tower crane will be installed, as appropriate for assembly, disassembly, and reconfiguration of a tower crane;

(i) Establishing requirements that must be met to be considered a competent and qualified assembly/disassembly director including, beginning January 1, 2027, or 12 months after the date an applicable certification program is approved by a nationally accredited organization recognized by the department, certification from a national organization recognized by the department;

(j) Establishing effective stop work procedures that ensure the authority of any employee, including employees of contractors, to refuse or delay the performance of a task related to a tower crane that the employee believes could reasonably result in serious physical harm or death. The rules must ensure that

employees who exercise stop work authority are protected from intimidation, retaliation, or discrimination; and

(k) Other rules necessary to implement sections 3 through 7 of this act.

(3) The department may set fees in rule to be charged for permits issued under section 4 of this act in an amount sufficient to cover the costs of administering section 4 of this act. Fees shall be deposited in the industrial insurance trust funds.

NEW SECTION. Sec. 7. A new section is added to chapter 49.17 RCW to read as follows:

A tower crane manufacturer and distributor shall, without exception, provide all relevant manufacturer operation instructions and guidelines, including assembly, disassembly, and reconfiguration instructions, for the safe use and maintenance of all of the manufacturer's or distributor's tower cranes located in the state to any person who requests access to such materials. The prescribed information, format, and distribution channel must be determined by the department. These materials must be written in the English language with customary grammar and punctuation. Information must be provided within a reasonable time frame, as determined by the department.

NEW SECTION. Sec. 8. A new section is added to chapter 36.70B RCW to read as follows:

(1) When a worksite contains a tower crane, the local government in which the tower crane is located must, at a minimum, do the following before any assembly, disassembly, or reconfiguration of the tower crane:

(a) Align permit issuance for street closures with the definition of assembly/disassembly work zone when a tower crane is being assembled, disassembled, reconfigured, or otherwise not fully stabilized and secure;

(b) Issue permits in a timely manner allowing for sufficient time to safely conduct assembly, disassembly, or reconfiguration; and

(c) Provide notice to residents and occupants in buildings within the assembly/disassembly work zone in advance of any assembly, disassembly, or reconfiguration.

(2) For purposes of this section, "assembly, disassembly, or reconfiguration" and "assembly/disassembly work zone" have the same meanings as those terms are defined in RCW 49.17.400.

NEW SECTION. Sec. 9. A new section is added to chapter 49.17 RCW to read as follows:

The provisions of this act do not apply to cranes used on marine vessels and at ports, terminals, and marine facilities for maritime activities regulated by the department.

Sec. 10. RCW 49.17.190 and 2011 c 96 s 40 are each amended to read as follows:

(1) Any person who gives advance notice of any inspection to be conducted under the authority of this chapter, without the consent of the director or his or her authorized representative, shall, upon conviction be guilty of a gross misdemeanor and be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months, or by both.

(2) Whoever knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this chapter shall, upon conviction be guilty of a gross misdemeanor and be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months or by both.

(3) Any employer who willfully and knowingly violates the requirements of RCW 49.17.060, any safety or health standard promulgated under this chapter, any existing rule or regulation governing the safety or health conditions of employment and adopted by the director, or any order issued granting a variance

under RCW 49.17.080 or 49.17.090 and that violation caused death to any employee shall, upon conviction be guilty of a gross misdemeanor and be punished by a fine of not more than ~~((one hundred thousand dollars))~~ \$100,000 or by imprisonment for not more than six months or by both; except, that if the conviction is for a violation committed after a first conviction of such person, punishment shall be a fine of not more than ~~((two hundred thousand dollars))~~ \$200,000 or by imprisonment for not more than ~~((three hundred sixty four))~~ 364 days, or by both.

(4) Any employer who has been issued an order immediately restraining a condition, practice, method, process, or means in the workplace, pursuant to RCW 49.17.130 or 49.17.170, and who nevertheless continues such condition, practice, method, process, or means, or who continues to use a machine or equipment or part thereof to which a notice prohibiting such use has been attached, shall be guilty of a gross misdemeanor, and upon conviction shall be punished by a fine of not more than ~~((ten thousand dollars))~~ \$10,000 or by imprisonment for not more than six months, or by both.

(5) Any employer who shall knowingly remove, displace, damage, or destroy, or cause to be removed, displaced, damaged, or destroyed any safety device or safeguard required to be present and maintained by any safety or health standard, rule, or order promulgated pursuant to this chapter, or pursuant to the authority vested in the director under RCW 43.22.050 shall, upon conviction, be guilty of a misdemeanor and be punished by a fine of not more than ~~((one thousand dollars))~~ \$1,000 or by imprisonment for not more than ~~((ninety))~~ 90 days, or by both.

(6) An employer is guilty of a misdemeanor if the employer: (a) Allows any person to engage in the assembly, disassembly, or reconfiguration of a tower crane without direct supervision by a competent and qualified assembly/disassembly director as required under this chapter and defined by the department; or (b) allows a tower crane to be assembled, disassembled, or reconfigured not in accordance with manufacturer operation instructions, manufacturer guidelines, or written procedures from a registered professional structural engineer.

(7) Whenever the director has reasonable cause to believe that any provision of this section defining a crime has been violated by an employer, the director shall cause a record of such alleged violation to be prepared, a copy of which shall be referred to the prosecuting attorney of the county wherein such alleged violation occurred, and the prosecuting attorney of such county shall in writing advise the director of the disposition he or she shall make of the alleged violation.

NEW SECTION. Sec. 11. This act takes effect January 1, 2025."

On page 1, line 1 of the title, after "safety;" strike the remainder of the title and insert "amending RCW 49.17.400, 49.17.420, 49.17.440, and 49.17.190; adding new sections to chapter 49.17 RCW; adding a new section to chapter 36.70B RCW; creating a new section; providing an effective date; and prescribing penalties."

MOTION

Senator Conway moved that the following amendment no. 724 by Senators Conway and King be adopted:

On page 10, line 24, after "Issue" strike all material through "time" and insert "street closure permits with consideration for sufficient time, as defined by the permit applicant,"

On page 10, line 26, after "(c)" strike "Provide" and insert "Develop permitting procedures that provide"

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Senators Conway and King spoke in favor of adoption of the amendment to the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 724 by Senators Conway and King on page 10, line 24 to striking amendment no. 723.

The motion by Senator Conway carried and amendment no. 724 was adopted by voice vote.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 723 by Senator Keiser as amended to Second Substitute House Bill No. 2022.

The motion by Senator Keiser carried and striking amendment no. 723 as amended was adopted by voice vote.

MOTION

On motion of Senator Frame, the rules were suspended, Second Substitute House Bill No. 2022 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame and King spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator McCune was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2022 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2022 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator McCune

SECOND SUBSTITUTE HOUSE BILL NO. 2022 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced Mr. & Mrs. Henry and Andrea Wong, guests of Senator Frame, who were seated in the gallery. Mr. & Mrs. Wong are the parents of Miss Sarah Wong.

The Senate rose in recognition of Mr. & Mrs. Wong and in memory of Miss Sarah Wong.

PERSONAL PRIVILEGE

Senator Keiser: "First of all, I'm so happy that we have been able to achieve this milestone. I also wanted to mention we lost an iron worker on this tower crane. And this wouldn't be law without the work and support of the ironworkers union on behalf of their members. Thank you."

EDITOR'S NOTE: On the afternoon of Saturday, April 27, 2019, Miss Sarah Wong, 19, of Pasadena, Calif., a freshman at Seattle Pacific University; Mr. Andrew Yoder, 31, of North Bend, an ironworker; Mr. Travis Corbet, 33, of Portland, Ore., an ironworker; and Mr. Alan Justad, 71, of Seattle, a retired City of Seattle employee, passed away as a result of injuries received when a construction crane fell from a building rooftop to the street below in the South Lake Union neighborhood of Seattle.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115, by House Committee on Health Care & Wellness (originally sponsored by Representatives Thai, Slatter, Senn, Chapman, Reed, Ramel, Macri, Gregerson, Doglio, Fosse, Riccelli, Wylie, and Reeves)

Concerning prescription labels for medications used for abortion.

The measure was read the second time.

MOTIONS

On motion of Senator Nobles, Senators Hasegawa and Liias were excused.

On motion of Senator Frame, the rules were suspended, Engrossed Substitute House Bill No. 2115 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frame spoke in favor of passage of the bill.

Senator Rivers spoke on passage of the bill.

Senator Fortunato spoke against passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2115.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2115 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Holy, King, MacEwen, Padden, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senators Liias and McCune

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2115, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2293, by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Wilcox, Chapman, Kretz, Dent, Barkis, and Barnard)

Studying the effects of avian predation of salmon.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Substitute House Bill No. 2293 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege, Muzzall and Fortunato spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 2293.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2293 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias and McCune

SUBSTITUTE HOUSE BILL NO. 2293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:28 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, February 26, 2024.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTIETH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, February 26, 2024

The Senate was called to order at 12:30 p.m. by the Vice President Pro Tempore, Senator Lovick presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the standing committees were granted special leave to continue to meet during the day’s floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 23, 2024

SB 5663 Prime Sponsor, Senator Warnick: Concerning abandoned vehicles sold at auctions conducted by registered tow truck operators. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5663 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 23, 2024

SB 5947 Prime Sponsor, Senator Liias: Making supplemental transportation appropriations for the 2023-2025 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5947 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; Nobles; Valdez; Wilson, C. and Wilson, J..

MINORITY recommendation: Do not pass. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 23, 2024

SB 6303 Prime Sponsor, Senator Nguyen: Providing tax incentives to encourage energy storage system and component parts manufacturing in Washington. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6303 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 23, 2024

ESHB 1277 Prime Sponsor, Committee on Education: Improving the consistency and quality of the implementation of the fundamental course of study for paraeducators. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2024

2ESHB 1508 Prime Sponsor, Committee on Appropriations: Improving consumer affordability through the health care cost transparency board. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Keiser.

Referred to Committee on Rules for second reading.

February 23, 2024
ESHB 1862 Prime Sponsor, Committee on Finance: Providing tax exemptions for the assistance of disabled veterans and members of the armed forces of the United States of America. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2024
HB 1867 Prime Sponsor, Representative Walen: Eliminating the estate tax filing requirement for certain estates involving a qualifying familial residence. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 22, 2024
SHB 1939 Prime Sponsor, Committee on Postsecondary Education & Workforce: Adopting the social work licensure compact. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2024
HB 1983 Prime Sponsor, Representative Simmons: Concerning the criminal justice treatment account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra;

Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2024
SHB 1985 Prime Sponsor, Committee on Appropriations: Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2024
HB 2044 Prime Sponsor, Representative Duerr: Standardizing limitations on voter-approved property tax levies. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Torres.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2024
SHB 2091 Prime Sponsor, Committee on State Government & Tribal Relations: Establishing a fallen firefighter memorial. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 22, 2024

FIFTIETH DAY, FEBRUARY 26, 2024

SHB 2147 Prime Sponsor, Committee on Appropriations: Concerning agriculture pest and disease response. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Agriculture, Water, Natural Resources & Parks. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2024

ESHB 2306 Prime Sponsor, Committee on Finance: Allowing main street programs to use remaining main street tax credits after a certain date. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 22, 2024

2SHB 2320 Prime Sponsor, Committee on Appropriations: Concerning high THC cannabis products. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Labor & Commerce. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2024

SHB 2348 Prime Sponsor, Committee on Finance: Concerning county hospital funding. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital;

Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke and Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital; Hasegawa; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2024

EHB 2372 Prime Sponsor, Representative Lekanoff: Transferring public property to Washington state federally recognized tribes for facilities to provide alcohol and substance use disorder prevention, treatment, and aftercare programs and services, and for behavioral health and related programs and services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

February 22, 2024

HB 2454 Prime Sponsor, Representative Ybarra: Extending an existing hazardous substance tax exemption for certain agricultural crop protection products that are temporarily warehoused but not otherwise used, manufactured, packaged, or sold in the state of Washington. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hunt; Keiser; Muzzall; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Dhingra.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Pedersen.

Referred to Committee on Rules for second reading.

February 23, 2024

HB 2481 Prime Sponsor, Representative Volz: Waiving health benefit premiums in the public employees' benefits board. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2024

SGA 9452 TRACY STANLEY, appointed on February 5, 2024, for the term ending December 31, 2026, as Member of the State Investment Board. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 24, 2024

MR. PRESIDENT:

The Speaker has signed:

- SUBSTITUTE HOUSE BILL NO. 1249,
- HOUSE BILL NO. 1455,
- HOUSE BILL NO. 1530,
- HOUSE BILL NO. 1920,
- HOUSE BILL NO. 1954,
- HOUSE BILL NO. 1972,
- HOUSE BILL NO. 1975,
- HOUSE BILL NO. 2111,
- SUBSTITUTE HOUSE BILL NO. 2136,
- SUBSTITUTE HOUSE BILL NO. 2293,
- SUBSTITUTE HOUSE BILL NO. 2296,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTIONS

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

On motion of Senator Pedersen and without objection, the rules were suspended and Engrossed Substitute House Bill No. 2134, concerning supplemental transportation appropriations, and the bill was placed on the day's Second Reading Calendar; and for the purposes of Senate Rule No. 53, the bill was considered to have been placed on the Second Reading Calendar as of 12:33 p.m., Monday, February 26.

EDITOR'S NOTE: Senate Rule 53 prohibits action on second reading of a budget bill until twenty-four hours after the bill has been on the second reading calendar.

On motion of Senator Pedersen and without objection, Engrossed Substitute House Bill No. 1300 and House Bill No. 2135 were removed from the day's Consent Calendar and placed on the day's Second Reading Calendar.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Saldaña moved adoption of the following resolution:

SENATE RESOLUTION
8682

By Senator Saldaña

WHEREAS, The state of Washington has recognized the proud history of Filipino Americans, and in 2019 passed Senate Bill No. 5865, declaring October of each year Filipino American history month; and

WHEREAS, It is imperative for the youth of the state of Washington to have positive role models to instill in them the importance of education, complemented with the richness of diversity and the value of their legacy; and

WHEREAS, Previous resolutions have recognized Carlos Bulosan and other Washingtonians who have made a national contribution to American history and culture; and

WHEREAS, Carlos Sampayan Bulosan was born November 2, 1913, in the Philippine city of Binalonan, Pangasinan; and

WHEREAS, Carlos Bulosan followed the pattern of many Filipinos during the American colonial period by leaving for America on July 22, 1930, at age 17, in the hope of finding salvation from the economic depression of his home; and

WHEREAS, Upon arriving in Seattle, Bulosan worked in low-paying jobs, worked as a farmworker, harvesting grapes and asparagus, and performed other forms of hard labor in the fields of central Washington; and

WHEREAS, In 1936, Bulosan suffered from tuberculosis and underwent three operations and stayed two years in the convalescent ward. During his long stay in the hospital, Bulosan spent his time constantly reading and writing; and

WHEREAS, Carlos Bulosan's most famous essay "Freedom From Want" was published on March, 1943, chosen by the Saturday Evening Post to accompany its publication of the Norman Rockwell painting based on Franklin D. Roosevelt's "Four Freedoms" speech. His classic novel "America is in the

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Heart," published in 1946, is a national treasure which gives a postcolonial Asian immigrant perspective to the experience of Filipinos working in the United States in the 1930s and 1940s; and

WHEREAS, In the 1970s, the resurgence of Asian/Pacific Islander American activism marked the discovery of Bulosan's unpublished writings in a University of Washington library, leading to releases of several unfinished works and anthologies of his poetry. This included "The Laughter of my Father," originally published as short sketches; and

WHEREAS, Carlos Bulosan was a labor organizer and activist, and was the publicity director for cannery workers local union 37. His writings impacted the betterment of working conditions for immigrants in Washington state. His words and image appear in murals and exhibits throughout Seattle's International District. He inspires scholars, artists, and civil rights activists;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate hereby celebrates the life and works of Carlos Sampayan Bulosan in advancing the people, culture, and history of the state of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted to Allen Acosta of Olympia, veterans advocate and grandnephew of Carlos Bulosan, to Maricres Valdez Castro, Commissioner for the City of Tacoma Commission on Immigration and Refugee Affairs, and to Rey Pascua, Commission on Asian Pacific American Affairs Emeritus Commissioner, for further distribution to public schools and libraries, Filipino American, Asian, and Pacific Islander organizations, to organizations representing workers, to historical societies, and to the superintendent of public instruction.

Senators Saldaña and Torres spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8682.

The motion by Senator Saldaña carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced Mr. Allen Acosta, Grandnephew of Carlos Bulosan; Miss Tsunami Acosta, Great Grandniece of Carlos Bulosan; Ms. Maricres Castro, Commissioner, Tacoma Commission for Immigrants and Refugee Affairs and former Miss Washington 2022; and Mr. Rey Pascua, Commissioner Emeritus, State Commission on Asian Pacific American Affairs who were seated in the gallery.

MOTION

At 12:35 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of reading in committee reports from the standing committees later in the day.

The Senate was called to order at 6:45 p.m. by the Vice President Pro Tempore, Senator Lovick presiding.

MOTION

On motion of Senator Pedersen, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 26, 2024

SB 6316 Prime Sponsor, Senator Pedersen: Concerning the state route number 520 corridor. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6316 as recommended by Committee on Transportation be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Boehnke; Braun; Hasegawa; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 1012 Prime Sponsor, Committee on Appropriations: Addressing the response to extreme weather events. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on State Government & Elections. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Braun and Torres.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 1044 Prime Sponsor, Committee on Capital Budget: Providing capital financial assistance to small school districts with demonstrated funding challenges. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Hunt.

Referred to Committee on Rules for second reading.

February 26, 2024

HB 1052 Prime Sponsor, Representative Ramel: Providing a property tax exemption for qualified real and personal property owned or used by a nonprofit entity in providing qualified housing funded in whole or part through a local real estate excise tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Housing. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

3SHB 1228 Prime Sponsor, Committee on Appropriations: Building a multilingual, multiliterate Washington through dual and tribal language education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

E4SHB 1239 Prime Sponsor, Committee on Appropriations: Establishing a simple and uniform system for complaints related to, and instituting a code of educator ethics for, conduct within or involving public elementary and secondary schools. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke; Braun; Van De Wege and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 1248 Prime Sponsor, Committee on Appropriations: Concerning pupil transportation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Robinson, Chair; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital and Torres.

Referred to Committee on Rules for second reading.

February 26, 2024

2ESHB 1282 Prime Sponsor, Committee on Capital Budget: Requiring environmental and labor reporting for public building construction and renovation material. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Muzzall; Torres; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital and Braun.

Referred to Committee on Rules for second reading.

February 26, 2024

E2SHB 1368 Prime Sponsor, Committee on Appropriations: Requiring and funding the purchase of zero emission school buses. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

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MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 26, 2024

2ESHB 1377 Prime Sponsor, Committee on Education: Posting of approved courses and providers of continuing education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke and Muzzall.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 1453 Prime Sponsor, Committee on Finance: Providing a tax exemption for medical cannabis patients. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 1493 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning impaired driving. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Transportation. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra;

Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 1510 Prime Sponsor, Committee on Finance: Establishing permanent funding for community preservation and development authorities approved through RCW 43.167.060. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Boehnke; Braun and Muzzall.

Referred to Committee on Rules for second reading.

February 26, 2024

2SHB 1551 Prime Sponsor, Committee on Appropriations: Reducing lead in cookware. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Braun and Muzzall.

Referred to Committee on Rules for second reading.

February 26, 2024

E2SHB 1618 Prime Sponsor, Committee on Appropriations: Concerning the statute of limitations for childhood sexual abuse. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024
ESHB 1652 Prime Sponsor, Committee on Appropriations: Concerning child support pass through. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Law & Justice. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Rules for second reading.

February 26, 2024
SHB 1717 Prime Sponsor, Committee on Appropriations: Supporting innovation at associate development organizations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Business, Financial Services, Gaming & Trade. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024
2EHB 1757 Prime Sponsor, Representative Corry: Providing a sales and use tax remittance to qualified farmers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Muzzall; Randall; Saldaña; Torres; Van De Wege and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser; Pedersen and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 1818 Prime Sponsor, Committee on Finance: Concerning the exclusion of compensating tax when land is sold to a governmental entity intending to manage the land similarly to designated forestland or timberland. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024
SHB 1870 Prime Sponsor, Committee on Appropriations: Promoting economic development by increasing opportunities for local communities to secure federal funding. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024
2SHB 1877 Prime Sponsor, Committee on Appropriations: Improving the Washington state behavioral health system for better coordination and recognition with the Indian behavioral health system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024
SHB 1892 Prime Sponsor, Committee on Housing: Concerning the workforce housing accelerator program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun;

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Conway; Dhingra; Hunt; Keiser; Muzzall; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Hasegawa and Pedersen.

Referred to Committee on Rules for second reading.

February 26, 2024
E2SHB 1899 Prime Sponsor, Committee on Appropriations: Facilitating reconstruction of communities damaged or destroyed by wildfires. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital and Hasegawa.

Referred to Committee on Rules for second reading.

February 26, 2024
ESHB 1906 Prime Sponsor, Committee on Transportation: Changing the vessel length requirement in obtaining nonresident vessel permits. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hansen; Lovelett; MacEwen; Nobles; Valdez; Wilson, C. and Wilson, J..

MINORITY recommendation: Do not pass. Signed by Senator Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato; Hawkins and Padden.

Referred to Committee on Rules for second reading.

February 26, 2024
SHB 1916 Prime Sponsor, Committee on Appropriations: Concerning funding for the early support for infants and toddlers program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024
2SHB 1929 Prime Sponsor, Committee on Appropriations: Supporting young adults following inpatient behavioral health treatment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024
2SHB 1941 Prime Sponsor, Committee on Appropriations: Providing for health home services for medicaid-eligible children with medically complex conditions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024
SHB 1942 Prime Sponsor, Committee on Labor & Workplace Standards: Clarifying employment standards for long-term care individual providers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Boehnke and Braun.

Referred to Committee on Rules for second reading.

February 26, 2024
HB 1943 Prime Sponsor, Representative Leavitt: Modifying the Washington national guard postsecondary education grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice

Chair, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Billig; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

February 26, 2024

HB 1976 Prime Sponsor, Representative Fosse: Changing the incentive structure for tier 1 and tier 2 buildings. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Boehnke; Braun and Hasegawa.

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

HB 1946 Prime Sponsor, Representative Eslick: Creating the Washington health corps behavioral health scholarship program. Reported by Committee on Ways & Means

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital and Hasegawa.

Referred to Committee on Rules for second reading.

February 26, 2024

HB 1982 Prime Sponsor, Representative Waters: Concerning the authority of the community economic revitalization board with respect to loans and grants to political subdivisions and federally recognized Indian tribes for broadband. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

E2SHB 1956 Prime Sponsor, Committee on Appropriations: Addressing fentanyl and other substance use prevention education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 2003 Prime Sponsor, Committee on Finance: Concerning an exemption to the leasehold excise tax for leases on public lands. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 1970 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Improving communication between the department of children, youth, and families and caregivers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 2007 Prime Sponsor, Committee on Appropriations: Expanding time limit exemptions applicable to cash assistance programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

Referred to Committee on Rules for second reading.

FIFTIETH DAY, FEBRUARY 26, 2024

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital and Boehnke.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 2012 Prime Sponsor, Committee on Finance: Concerning eligibility for a property tax exemption for nonprofits providing affordable rental housing built with city and county funds. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital and Boehnke.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

2SHB 2014 Prime Sponsor, Committee on Appropriations: Concerning the definition of veteran and restoring honor to veterans. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 2019 Prime Sponsor, Committee on Appropriations: Establishing a Native American apprentice assistance program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 2020 Prime Sponsor, Committee on Innovation, Community & Economic Development, & Veterans: Creating a state administered public infrastructure assistance program within the emergency management division. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

2SHB 2084 Prime Sponsor, Committee on Appropriations: Establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

E2SHB 2099 Prime Sponsor, Committee on Appropriations: Concerning state identification cards for persons in state custody or care. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Transportation. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating and Braun.

Referred to Committee on Rules for second reading.

February 26, 2024

2SHB 2112 Prime Sponsor, Committee on Appropriations: Concerning opioid and fentanyl prevention

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education and awareness at institutions of higher education.
Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

2SHB 2124 Prime Sponsor, Committee on Appropriations: Supporting and expanding access to child care and early learning programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Boehnke and Braun.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 2131 Prime Sponsor, Committee on Environment & Energy: Promoting the establishment of thermal energy networks. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 2153 Prime Sponsor, Committee on Consumer Protection & Business: Deterring the theft of catalytic converters. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Hansen; Kauffman; Lovelett; Nobles; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Holy, Assistant Ranking Member; Hawkins; MacEwen and Padden.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 2180 Prime Sponsor, Committee on Appropriations: Increasing the special education enrollment funding cap. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 2191 Prime Sponsor, Committee on Transportation: Adding two voting members that are transit users to the governing body of public transportation benefit areas. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Hansen; Kauffman; Lovelett; Nobles; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato and MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Holy, Assistant Ranking Member; Hawkins; Padden and Wilson, J.

Referred to Committee on Rules for second reading.

February 26, 2024

SHB 2195 Prime Sponsor, Committee on Capital Budget: Strengthening the early learning facilities grant and loan program by revising criteria and providing resources to the Ruth LeCocq Kagi early learning facilities development account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking

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Member, Capital; Billig; Conway; Dhingra; Hunt; Keiser; Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Braun; Hasegawa; Muzzall and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

EHB 2199 Prime Sponsor, Representative Orcutt: Creating business and occupation and public utility tax exemptions for certain amounts received as the result of receipt, generation, purchase, sale, transfer, or retirement of allowances, offset credits, or price ceiling units under the climate commitment act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Boehnke; Braun and Torres.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 2207 Prime Sponsor, Committee on Environment & Energy: Providing tools designed to reduce the impacts of unlawful solid waste dumping. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 26, 2024

HB 2210 Prime Sponsor, Representative Dye: Establishing a wild horse holding and training program at a state corrections center. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Human Services. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking

Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Pedersen.

Referred to Committee on Rules for second reading.

February 26, 2024

2SHB 2214 Prime Sponsor, Committee on Appropriations: Permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital and Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Boehnke; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 26, 2024

ESHB 2236 Prime Sponsor, Committee on Education: Expanding and strengthening career and technical education core plus programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 26, 2024

HB 2246 Prime Sponsor, Representative Bateman: Concerning vacation leave accrual for state employees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall;

Pedersen; Randall; Saldaña; Torres; Van De Wege and Wellman.

Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Wagoner.

February 26, 2024

Referred to Committee on Rules for second reading.

E2SHB 2354 Prime Sponsor, Committee on Finance: Creating an option for impacted taxing districts to provide a portion of their new revenue to support any tax increment area proposed within their jurisdiction and clarifying that a tax increment area must be dissolved when all bond obligations are paid. Reported by Committee on Ways & Means

February 26, 2024
E2SHB 2247 Prime Sponsor, Committee on Appropriations: Addressing behavioral health provider shortages. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MAJORITY recommendation: Do pass as amended by Committee on Health & Long-Term Care. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

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February 26, 2024
E2SHB 2301 Prime Sponsor, Committee on Appropriations: Improving the outcomes associated with waste material management systems, including products affecting organic material management systems. Reported by Committee on Ways & Means

SHB 2357 Prime Sponsor, Committee on Transportation: Establishing a state patrol longevity bonus. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MAJORITY recommendation: Do pass as amended. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hansen; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital and Boehnke.

February 26, 2024

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Braun and Muzzall.

HB 2375 Prime Sponsor, Representative Goehner: Including an accessory dwelling unit under property that qualifies for the senior citizens property tax exemption. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

February 26, 2024
E2SHB 2311 Prime Sponsor, Committee on Appropriations: Supporting first responder wellness and peer support. Reported by Committee on Ways & Means

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Assistant Ranking Member, Capital and Hasegawa.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra;

February 26, 2024

ESHB 2384 Prime Sponsor, Committee on Transportation: Concerning automated traffic safety cameras. Reported by Committee on Transportation

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MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Hansen; Kauffman; Lovelett; Nobles; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Holy, Assistant Ranking Member; Fortunato; Hawkins; MacEwen; Padden and Wilson, J.

Referred to Committee on Rules for second reading.

February 26, 2024
ESHB 2441 Prime Sponsor, Committee on Appropriations: Establishing a pilot program eliminating college in the high school fees for private not-for-profit four-year institutions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 26, 2024
ESHB 2482 Prime Sponsor, Committee on Finance: Reinstating semiconductor tax incentives. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Randall; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen and Saldaña.

Referred to Committee on Rules for second reading.

February 26, 2024
ESHB 2494 Prime Sponsor, Committee on Appropriations: Increasing state funding for operating costs in schools. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital;

Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Randall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

At 6:46 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Tuesday, February 27, 2024.

JOHN LOVICK, Vice President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
 Tuesday, February 27, 2024

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Leif Pedersen and Miss Anna Coy, presented the Colors.

Page Miss Sophia Kashuba led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Greg Rolfe of Beacon Hill Baptist Church, Longview. Pastor Rolfe was a guest of Senator Jeff Wilson.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SCR 8416 by Senators Pedersen and Short
 Returning bills to their house of origin.

SCR 8417 by Senators Pedersen and Short
 Adjourning SINE DIE.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were held at the desk.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Hunt moved adoption of the following resolution:

SENATE RESOLUTION
 8674

By Senators Hunt, Lovick, Van De Wege, Valdez, Salomon, Wagoner, Padden, Braun, Torres, Short, Robinson, Billig, Hansen, Shewmake, Schoesler, Rivers, L. Wilson, Warnick, Hawkins, McCune, Dozier, Gildon, Holy, MacEwen, Liias, Wellman, Nobles, Keiser, Kuderer, Fortunato, Pedersen, Conway, Hasegawa, Trudeau, J. Wilson, Boehnke, King, and Cleveland

WHEREAS, The Territory of Washington was created by the act of congress and approved by President Millard Fillmore on March 2, 1853; and

WHEREAS, A proclamation issued by newly appointed Governor Isaac I. Stevens established the government of Washington Territory under the terms of the organic act passed by congress in 1853, and designated the city of Olympia, which had been established on the southernmost part of Puget Sound on the traditional lands of the Squaxin Tribe, as the temporary Territorial Capital; and

WHEREAS, 170 years ago, on Monday, February 27, 1854, pursuant to the gubernatorial proclamation, the first legislative assembly of the Territory of Washington composed of a nine-member council and an 18-member House of representatives, convened; and

WHEREAS, Lacking a suitable capitol building, the Territorial Assembly of 1854 assembled on the second floor of the Parker & Colter store on main street (now capitol way) in Olympia; and

WHEREAS, The legislators, elected on January 30, 1854, from the eight counties, were a reflection of their communities and included farmers, mercantilists, lawyers, and other occupations; and

WHEREAS, The First Territorial Assembly of 1854, limited to a 100-day session, closed with only 36 days to spare adjourning sine die May 1, 1854, having lasted 64 days; and

WHEREAS, The First Territorial Assembly accomplished more than expected, including outlining criminal and civil codes; creating a school system; authorizing construction and maintenance of infrastructure such as wharves and roads; setting marriage and divorce standards; establishing new counties and county offices; expanding the House by an additional four representatives; and adopting a territorial seal; and

WHEREAS, The progress and success of the First Territorial Assembly would not have been possible without the assistance and enthusiastic support of Olympia, the city's 300 to 400 residents, surrounding communities, and local business interests;

NOW, THEREFORE BE IT RESOLVED, That the Senate honor and remember the First Washington Territorial Legislature of 1854 as well as the contributions of the local communities, both native and nonnative alike, which allowed this democratic institution to gain a foothold and later flourish in the furthest reaches of the Nation; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Honorable Dontae Payne, Mayor of Olympia, the Honorable Kris Peters, Chair, Squaxin Tribe, and Mr. Greg Griffith, President, Olympia Historical Society & Bigelow House Museum.

Senator Hunt spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8674.

The motion by Senator Hunt carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced descendants of The Honorable Daniel R. Bigelow, pioneering settler and member of the first Territorial Assembly of Washington Territory whose historic home stands in Olympia: Mr. George Bigelow and Mr. & Mrs. Daniel and Pam Bigelow. Joining the Bigelow family in the gallery were The Honorable Dontae Payne, Mayor of Olympia; Mr. Greg Griffith, President of the Board of Trustees of the Olympia Historical Society & Bigelow House Museum; and Trustees, members, and supporters of the Olympia Historical Society.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

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THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Miguel Perez-Gibson, Senate Gubernatorial Appointment No. 9052, be confirmed as a member of The Evergreen State College Board of Trustees.

Senators Hunt and Conway spoke in favor of passage of the motion.

APPOINTMENT OF MIGUEL PEREZ-GIBSON

The President declared the question before the Senate to be the confirmation of Miguel Perez-Gibson, Senate Gubernatorial Appointment No. 9052, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Miguel Perez-Gibson, Senate Gubernatorial Appointment No. 9052, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Schoesler

Miguel Perez-Gibson, Senate Gubernatorial Appointment No. 9052, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Clemencia Castro-Woolery, Senate Gubernatorial Appointment No. 9166, be confirmed as a member of the Pierce College Board of Trustees.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF CLEMENCIA CASTRO-WOOLERY

The President declared the question before the Senate to be the confirmation of Clemencia Castro-Woolery, Senate Gubernatorial Appointment No. 9166, as a member of the Pierce College Board of Trustees.

The Secretary called the roll on the confirmation of Clemencia Castro-Woolery, Senate Gubernatorial Appointment No. 9166, as a member of the Pierce College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short,

Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Clemencia Castro-Woolery, Senate Gubernatorial Appointment No. 9166, having received the constitutional majority was declared confirmed as a member of the Pierce College Board of Trustees.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1978, by Representatives Rule, Volz, Ryu, Ramel, Ormsby, and Reeves

Adding special purpose and junior taxing districts to the intrastate mutual aid system.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, House Bill No. 1978 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1978.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1978 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1978, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2088, by Representatives Orwall, Reed, Ormsby, Ramel, Macri, Cheney, Lekanoff, Riccelli, Wylie, and Reeves

Extending liability protections for responders dispatched from mobile rapid response crisis teams and community-based crisis teams.

The measure was read the second time.

MOTION

On motion of Senator Trudeau, the rules were suspended, Engrossed House Bill No. 2088 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Trudeau spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2088.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2088 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED HOUSE BILL NO. 2088, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Callan, Eslick, Senn, Davis, Paul, Thai, Ormsby, Pollet, and Macri)

Addressing the children and youth behavioral health work group.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute House Bill No. 2256 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2256.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2256 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1898, by Representatives Schmidt, Fosse, Connors, Berry, Bronoske, Abbarno, Ormsby, Volz, Leavitt, Low, Reed, Graham, Kloba, and Reeves

Concerning unemployment insurance benefit charging.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 1898 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1898.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1898 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1898, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2165, by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kloba, Waters, and Reeves)

Concerning the authority of the department of natural resources to determine recreational use fees for activities on agency-managed public lands.

The measure was read the second time.

MOTION

On motion of Senator Salomon, the rules were suspended, Substitute House Bill No. 2165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Salomon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2165.

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ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2165 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2156, by House Committee on Consumer Protection & Business (originally sponsored by Representatives Reeves, Doglio, and Pollet)

Providing solar consumer protections.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Substitute House Bill No. 2156 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2156.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2156 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2156, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2015, by House Committee on Health Care & Wellness (originally sponsored by Representatives Senn, Schmick, Ryu, Reed, Ormsby, Callan, Macri, Doglio, Lekanoff, Reeves, and Tharinger)

Concerning incentivizing adult family homes to increase bed capacity to seven or eight beds.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 2015 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2015.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2015 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2015, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1890, by Representatives Alvarado, Klicker, Peterson, Bateman, Connors, Macri, Corry, Barkis, Berry, Morgan, Leavitt, Tharinger, Reed, Ormsby, Barnard, Street, Gregerson, Reeves, and Chopp

Concerning housing authorities.

The measure was read the second time.

MOTION

On motion of Senator Frame, the rules were suspended, House Bill No. 1890 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frame spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1890.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1890 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson,

Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Padden

HOUSE BILL NO. 1890, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1987, by Representatives Low, Ramel, Ryu, Eslick, Timmons, Paul, Ramos, Reed, Chapman, Ormsby, Graham, Doglio, Sandlin, Lekanoff, Tharinger, and Santos

Concerning the use of moneys from the rural public facilities sales and use tax for affordable workforce housing infrastructure and facilities.

The measure was read the second time.

MOTION

On motion of Senator Lovelett, the rules were suspended, House Bill No. 1987 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett, Torres and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1987.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1987 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

HOUSE BILL NO. 1987, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1924, by House Committee on Environment & Energy (originally sponsored by Representatives Shavers, Ryu, Barnard, Stearns, and Wylie)

Promoting the integration of fusion technology within state clean energy policies.

The measure was read the second time.

MOTION

Senator Nguyen moved that the following committee striking amendment by the Committee on Environment, Energy & Technology be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.21F RCW to read as follows:

(1) In addition to the principles guiding the development and implementation of the state energy strategy described in RCW 43.21F.088, the state must ensure that the pursuit of cleaner energy sources actively includes and supports innovative, emerging, and promising clean energy technologies, such as fusion energy.

(2) For the purposes of this section, "fusion energy" means energy production derived directly or indirectly from the merger of atomic nuclei.

(3) The legislature finds that fusion energy is a rapidly advancing clean energy technology and that Washington is poised to become a world leader in fusion energy development.

NEW SECTION. Sec. 2. The energy facility site evaluation council and the department of health shall establish a fusion energy work group of state agencies including, but not limited to, the department of commerce, the department of ecology, the office of the governor, and the military department to identify and evaluate new and existing permitting, siting, licensing, and registration pathways for producing fusion energy. The fusion energy work group shall involve the regulated community throughout the process. The fusion energy work group shall provide an initial report to the governor and legislature by December 1, 2024.

Sec. 3. RCW 43.158.020 and 2023 c 230 s 202 are each amended to read as follows:

(1) The department of commerce shall develop an application for the designation of clean energy projects, including facilities that produce electricity with fusion energy, as clean energy projects of statewide significance.

(2) An application to the department of commerce by an applicant under this section must include:

(a) Information regarding the location of the project;

(b) Information sufficient to demonstrate that the project qualifies as a clean energy project;

(c) An explanation of how the project is expected to contribute to the state's achievement of the greenhouse gas emission limits in chapter 70A.45 RCW and is consistent with the state energy strategy adopted by the department of commerce, as well as any contribution that the project is expected to make to other state regulatory requirements for clean energy and greenhouse gas emissions, including the requirements of chapter 19.405, 70A.30, 70A.60, 70A.65, 70A.535, or 70A.540 RCW;

(d) An explanation of how the project is expected to contribute to the state's economic development goals, including information regarding the applicant's average employment in the state for the prior year, estimated new employment related to the project, estimated wages of employees related to the project, and estimated time schedules for completion and operation;

(e) A plan for engagement and information sharing with potentially affected federally recognized Indian tribes;

(f) A description of potential community benefits and impacts from the project, a plan for community engagement in the project development, and an explanation of how the applicant might use a community benefit agreement or other legal document that stipulates the benefits that the developer agrees to fund or furnish, in exchange for community support of a project; and

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(g) Other information required by the department of commerce.

(3) For the purposes of this section, "fusion energy" has the same meaning as defined in section 1 of this act."

On page 1, line 2 of the title, after "policies;" strike the remainder of the title and insert "amending RCW 43.158.020; adding a new section to chapter 43.21F RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Environment, Energy & Technology to Substitute House Bill No. 1924.

The motion by Senator Nguyen carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Substitute House Bill No. 1924 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1924 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1924 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Fortunato

SUBSTITUTE HOUSE BILL NO. 1924 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1947, by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Street, Couture, Ryu, Gregerson, Reed, Ormsby, and Reeves)

Concerning the governance of technology services in state government, including eliminating the office of the chief information officer and renaming the consolidated technology services agency.

The measure was read the second time.

MOTION

On motion of Senator Nguyen, the rules were suspended, Substitute House Bill No. 1947 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1947.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1947 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1947, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the 2024 Royal Court of the Washington State Apple Blossom Festival of Wenatchee: Queen Ella Stimmel, Princess Jenissa Hepton, and Princess Lexie Fennell who were seated in the gallery.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300, by House Committee on Appropriations (originally sponsored by Representatives Orwall, Mosbrucker, Graham, Jacobsen, Lekanoff, Macri, and Reed)

Concerning fraud in assisted reproduction.

The measure was read the second time.

MOTION

Senator Stanford moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.36.031 and 2013 c 256 s 1 are each amended to read as follows:

(1) A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:

(a) With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful apprehension or detention of himself, herself, or another person, assaults another; or

(b) Assaults a person employed as a transit operator or driver, the immediate supervisor of a transit operator or driver, a mechanic, or a security officer, by a public or private transit

company or a contracted transit service provider, while that person is performing his or her official duties at the time of the assault; or

(c) Assaults a school bus driver, the immediate supervisor of a driver, a mechanic, or a security officer, employed by a school district transportation service or a private company under contract for transportation services with a school district, while the person is performing his or her official duties at the time of the assault; or

(d) With criminal negligence, causes bodily harm to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or

(e) Assaults a firefighter or other employee of a fire department, county fire marshal's office, county fire prevention bureau, or fire protection district who was performing his or her official duties at the time of the assault; or

(f) With criminal negligence, causes bodily harm accompanied by substantial pain that extends for a period sufficient to cause considerable suffering; or

(g) Assaults a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault; or

(h) Assaults a peace officer with a projectile stun gun; or

(i) Assaults a nurse, physician, or health care provider who was performing his or her nursing or health care duties at the time of the assault. For purposes of this subsection: "Nurse" means a person licensed under chapter 18.79 RCW; "physician" means a person licensed under chapter 18.57 or 18.71 RCW; and "health care provider" means a person certified under chapter 18.71 or 18.73 RCW who performs emergency medical services or a person regulated under Title 18 RCW and employed by, or contracting with, a hospital licensed under chapter 70.41 RCW; or

(j) Assaults a judicial officer, court-related employee, county clerk, or county clerk's employee, while that person is performing his or her official duties at the time of the assault or as a result of that person's employment within the judicial system. For purposes of this subsection, "court-related employee" includes bailiffs, court reporters, judicial assistants, court managers, court managers' employees, and any other employee, regardless of title, who is engaged in equivalent functions; or

(k) Assaults a person located in a courtroom, jury room, judge's chamber, or any waiting area or corridor immediately adjacent to a courtroom, jury room, or judge's chamber. This section shall apply only: (i) During the times when a courtroom, jury room, or judge's chamber is being used for judicial purposes during court proceedings; and (ii) if signage was posted in compliance with RCW 2.28.200 at the time of the assault; or

(l) Is a licensed health care provider who implants his or her gametes or reproductive material into a patient under his or her care. For the purposes of this subsection, "gamete" means sperm, egg, or any part of a sperm or egg, and "reproductive material" means a human gamete or a human organism at any stage of development from fertilized ovum to embryo.

(2) Assault in the third degree is a class C felony.

Sec. 2. RCW 18.130.180 and 2023 c 192 s 2 and 2023 c 122 s 4 are each reenacted and amended to read as follows:

Except as provided in RCW 18.130.450, the following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a

conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

(6) The possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all

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proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(19) The willful betrayal of a practitioner-patient privilege as recognized by law;

(20) Violation of chapter 19.68 RCW or a pattern of violations of RCW 41.05.700(8), 48.43.735(8), 48.49.020, 48.49.030, 71.24.335(8), or 74.09.325(8);

(21) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(22) Current misuse of:

(a) Alcohol;

(b) Controlled substances; or

(c) Legend drugs;

(23) Abuse of a client or patient or sexual contact with a client or patient;

(24) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards;

(25) Violation of RCW 18.130.420;

(26) Performing conversion therapy on a patient under age eighteen;

(27) Violation of RCW 18.130.430;

(28) Violation of RCW 18.130.460; or

(29) Implanting the license holder's own gametes or reproductive material into a patient."

On page 1, line 1 of the title, after "reproduction;" strike the remainder of the title and insert "amending RCW 9A.36.031; reenacting and amending RCW 18.130.180; and prescribing penalties."

MOTION

Senator Pedersen moved that the following amendment no. 735 by Senators Padden and Pedersen be adopted:

On page 21, beginning on line 23, after "59.18.640." strike all material through "counsel." on line 25

Senators Pedersen and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 735 by Senators Padden and Pedersen on page 2, line 29 to the committee striking amendment.

The motion by Senator Pedersen carried and amendment no. 735 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice as amended to Engrossed Substitute House Bill No. 1300.

The motion by Senator Stanford carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute House Bill No. 1300 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1300 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1300 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1879, by Representatives Lekanoff, Santos, Ryu, Tharinger, Ortiz-Self, Ramel, Cortes, Morgan, Reed, Ormsby, Timmons, Callan, Peterson, Chopp, Donaghy, Gregerson, Doglio, Fosse, Orwall, Bergquist, Stonier, Mena, Wylie, Reeves, Riccelli, Pollet, Shavers, and Davis

Naming the curriculum used to inform students about tribal history, culture, and government after John McCoy (luliláš).

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 1879 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Hawkins and Robinson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1879.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1879 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1879, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1945, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Alvarado, Gregerson, Ryu, Ortiz-Self, Leavitt, Senn, Berry, Ramel, Slatter, Cortes, Morgan, Reed, Simmons, Ormsby, Callan, Peterson, Rule, Kloba, Macri, Street, Chopp, Doglio, Fosse, Mena, Bergquist, Goodman, Tharinger, Thai, Riccelli, and Hackney)

Streamlining and enhancing program access for persons eligible for food assistance.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.216.1368 and 2023 c 222 s 4 are each amended to read as follows:

(1) It is the intent of the legislature to increase working families' access to affordable, high quality child care and to support the expansion of the workforce to support businesses and the statewide economy.

(2) Beginning October 1, 2021, a family is eligible for working connections child care when the household's annual income is at or below 60 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(3) Beginning July 1, 2025, a family is eligible for working connections child care when the household's annual income is above 60 percent and at or below 75 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(4) Beginning July 1, 2027, and subject to the availability of amounts appropriated for this specific purpose, a family is eligible for working connections child care when the household's annual

income is above 75 percent of the state median income and is at or below 85 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements.

(5)(a) Beginning October 1, 2021, through June 30, 2023, the department must calculate a monthly copayment according to the following schedule:

If the household's income is: Then the household's maximum monthly copayment is:

At or below 20 percent of the state median income Waived to the extent allowable under federal law; otherwise, a maximum of \$15

Above 20 percent and at or below 36 percent of the state median income \$65

Above 36 percent and at or below 50 percent of the state median income \$115 until December 31, 2021, and \$90 beginning January 1, 2022

Above 50 percent and at or below 60 percent of the state median income \$115

(b) Beginning July 1, 2023, the department must calculate a monthly copayment according to the following schedule:

If the household's income is: Then the household's maximum monthly copayment is:

At or below 20 percent of the state median income Waived to the extent allowable under federal law; otherwise, a maximum of \$15

Above 20 percent and at or below 36 percent of the state median income \$65

Above 36 percent and at or below 50 percent of the state median income \$90

Above 50 percent and at or below 60 percent of the state median income \$165

(c) Beginning July 1, 2025, the department must calculate a maximum monthly copayment of \$215 for households with incomes above 60 percent and at or below 75 percent of the state median income.

(d) Subject to the availability of amounts appropriated for this specific purpose, the department shall adopt a copayment model for households with annual incomes above 75 percent of the state median income and at or below 85 percent of the state median income. The model must calculate a copayment for each household that is no greater than seven percent of the household's countable income within this income range.

(e) The department may adjust the copayment schedule to comply with federal law.

(6) Beginning November 1, 2024, when an applicant or consumer is a member of an assistance unit that is eligible for or receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program the department must determine that the household income eligibility requirements in this section are met.

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(7) The department must adopt rules to implement this section, including an income phase-out eligibility period.

~~((7))~~ (8) This section does not apply to households eligible for the working connections child care program under RCW 43.216.145 and 43.216.1364.

Sec. 2. RCW 43.216.505 and 2021 c 199 s 204 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.216.500 through 43.216.559, 43.216.900, and 43.216.901.

(1) "Advisory committee" means the advisory committee under RCW 43.216.520.

(2) "Approved programs" means those state-supported education and special assistance programs which are recognized by the department as meeting the minimum program rules adopted by the department to qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and 43.216.901 and are designated as eligible for funding by the department under RCW 43.216.530 and 43.216.540.

(3) "Comprehensive" means an assistance program that focuses on the needs of the child and includes education, health, and family support services.

(4) "Eligible child" means a three to five-year old child who is not age-eligible for kindergarten, is not a participant in a federal or state program providing comprehensive services, and who:

(a) Has a family with ~~((financial need))~~ an income at or below 50 percent of the state median income adjusted for family size;

(b) Is experiencing homelessness;

(c) Has participated in early head start or a successor federal program providing comprehensive services for children from birth through two years of age, the early support for infants and toddlers program or received class C developmental services, the birth to three early childhood education and assistance program, or the early childhood intervention and prevention services program;

(d) Is eligible for special education due to disability under RCW 28A.155.020;

(e) Is a member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program;

(f) Is Indian as defined in rule by the department after consultation and agreement with Washington state's federally recognized tribes pursuant to RCW 43.216.5052 and is at or below 100 percent of the state median income adjusted for family size; or

~~((f))~~ (g) Meets criteria under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment in the early childhood program. Preference for enrollment in this group shall be given to children from families with the lowest income, children in foster care, or to eligible children from families with multiple needs.

(5) "Experiencing homelessness" means a child without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed on January 1, 2021.

(6) "Family support services" means providing opportunities for parents to:

(a) Actively participate in their child's early childhood program;

(b) Increase their knowledge of child development and parenting skills;

(c) Further their education and training;

(d) Increase their ability to use needed services in the community;

(e) Increase their self-reliance; and

(f) Connect with culturally competent, disability positive therapists and supports where appropriate.

~~((7) "Family with financial need" means families with incomes at or below 36 percent of the state median income adjusted for family size until the 2030-31 school year. Beginning in the 2030-31 school year, "family with financial need" means families with incomes at or below 50 percent of the state median income adjusted for family size.))~~

Sec. 3. RCW 43.216.512 and 2019 c 409 s 2 are each amended to read as follows:

(1) The department shall adopt rules that allow the enrollment of children who meet one or more of the following criteria in the early childhood education and assistance program, as space is available if the number of such children equals not more than twenty-five percent of total statewide enrollment ~~((, whose family income is))~~:

(a) ~~((Above))~~ The child's family income is above one hundred ten percent but less than or equal to one hundred thirty percent of the federal poverty level; ~~((or))~~

(b) ~~((Above))~~ The child's family income is above one hundred thirty percent but less than or equal to two hundred percent of the federal poverty level if the child meets at least one of the risk factor criterion described in subsection (2) of this section; or

(c) Beginning November 1, 2024, the child is not eligible under RCW 43.216.505 and is a member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

(2) Children enrolled in the early childhood education and assistance program pursuant to subsection (1)(b) of this section must be prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that have a disproportionate effect on kindergarten readiness and school performance, including:

(a) Family income as a percent of the federal poverty level;

(b) Homelessness;

(c) Child welfare system involvement;

(d) Developmental delay or disability that does not meet the eligibility criteria for special education described in RCW 28A.155.020;

(e) Domestic violence;

(f) English as a second language;

(g) Expulsion from an early learning setting;

(h) A parent who is incarcerated;

(i) A parent with a substance use disorder or mental health treatment need; and

(j) Other risk factors determined by the department to be linked by research to school performance.

(3) The department shall adopt rules that allow a child to enroll in the early childhood education and assistance program, as space is available, when the child is not eligible under RCW 43.216.505 and the child turns three years old at any time during the school year when the child:

(a) Has a family income at or below two hundred percent of the federal poverty level or meets at least one risk factor criterion adopted by the department in rule; and

(b) Has received services from or participated in:

(i) The early support for infants and toddlers program;

(ii) The early head start or a successor federal program providing comprehensive services for children from birth through two years of age; or

(iii) The birth to three early childhood education and assistance program, if such a program is established.

(4) Children enrolled in the early childhood education and assistance program under this section are not considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

Sec. 4. RCW 43.216.512 and 2021 c 199 s 205 are each amended to read as follows:

(1) The department shall adopt rules that allow the enrollment of children in the early childhood education and assistance program, as space is available, if the number of such children equals not more than 25 percent of total statewide enrollment, when the child is not eligible under RCW 43.216.505 and ~~((whose))~~:

(a) ~~Has a~~ family income level ~~((is))~~ above 36 percent of the state median income but at or below 50 percent of the state median income adjusted for family size and the child meets at least one of the risk factor criterion described in subsection (2) of this section; ~~or~~

(b) Is a member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

(2) Children enrolled in the early childhood education and assistance program pursuant to this section must be prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that have a disproportionate effect on kindergarten readiness and school performance, including:

- (a) Family income as a percent of the state median income;
- (b) Child welfare system involvement;
- (c) Eligible for services under part C of the federal individuals with disabilities education act but not eligible for services under part B of the federal individuals with disabilities education act;
- (d) Domestic violence;
- (e) English as a second language;
- (f) Expulsion from an early learning setting;
- (g) A parent who is incarcerated;
- (h) A parent with a behavioral health treatment need; and
- (i) Other risk factors determined by the department to be linked by research to school performance.

(3) Children enrolled in the early childhood education and assistance program under this section are not considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

(4) This section expires August 1, 2030.

Sec. 5. RCW 43.216.578 and 2019 c 408 s 8 are each amended to read as follows:

(1) Within resources available under the federal preschool development grant birth to five grant award received in December 2018, the department shall develop a plan for phased implementation of a birth to three early childhood education and assistance program pilot project for eligible children under thirty-six months old. Funds to implement the pilot project may include a combination of federal, state, or private sources.

(2) The department may adopt rules to implement the pilot project and may waive or adapt early childhood education and assistance program requirements when necessary to allow for the operation of the birth to three early childhood education and assistance program. The department shall consider early head start rules and regulations when developing the provider and family eligibility requirements and program requirements. Any deviations from early head start standards, rules, or regulations must be identified and explained by the department in its annual report under subsection (6) of this section.

(3)(a) Upon securing adequate funds to begin implementation, the pilot project programs must be delivered through child care centers and family home providers who meet minimum licensing standards and are enrolled in the early achievers program.

(b) The department must determine minimum early achievers ratings scores for programs participating in the pilot project.

(4) When selecting pilot project locations for service delivery, the department may allow each pilot project location to have up to three classrooms per location. When selecting and approving pilot project locations, the department shall attempt to select a combination of rural, urban, and suburban locations. The department shall prioritize locations with programs currently operating early head start, head start, or the early childhood education and assistance program.

(5) ~~((To))~~ Until November 1, 2024, to be eligible for the birth to three early childhood education and assistance program, a child's family income must be at or below one hundred thirty percent of the federal poverty level and the child must be under thirty-six months old. Beginning November 1, 2024, to be eligible for the birth to three early childhood education and assistance program, a child must be under 36 months old and either:

(a) From a family with a household income at or below 130 percent of the federal poverty level; or

(b) A member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

(6) Beginning November 1, 2020, and each November 1st thereafter during pilot project activity, the department shall submit an annual report to the governor and legislature that includes a status update that describes the planning work completed, the status of funds secured, and any implementation activities of the pilot project. Implementation activity reports must include a description of the participating programs and number of children and families served.

Sec. 6. RCW 43.216.578 and 2021 c 199 s 403 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall administer a birth to three early childhood education and assistance program for eligible children under thirty-six months old. Funds to implement the program may include a combination of federal, state, or private sources.

(2) The department may adopt rules to implement the program and may waive or adapt early childhood education and assistance program requirements when necessary to allow for the operation of the birth to three early childhood education and assistance program. The department shall consider early head start rules and regulations when developing the provider and family eligibility requirements and program requirements.

(3)(a) The birth to three early childhood education and assistance program must be delivered through child care centers and family home providers who meet minimum licensing standards and are enrolled in the early achievers program.

(b) The department must determine minimum early achievers ratings scores for participating contractors.

(4) ~~To be eligible for the birth to three early childhood education and assistance program, a ((child's family income must be at or below 50 percent of the state median income and the child must be under thirty six months old))~~ child must be under 36 months old and either:

(a) From a family with a household income at or below 50 percent of the state median income; or

(b) A member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

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NEW SECTION. **Sec. 7.** Section 2 of this act takes effect August 1, 2030.

Sections 4 and 6 of this act take effect July 1, 2026.

NEW SECTION. **Sec. 8.** Sections 3 and 5 of this act expire July 1, 2026."

On page 1, line 2 of the title, after "assistance;" strike the remainder of the title and insert "amending RCW 43.216.1368, 43.216.512, 43.216.512, 43.216.578, and 43.216.578; reenacting and amending RCW 43.216.505; providing effective dates; and providing an expiration date."

Senator Wellman spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Substitute House Bill No. 1945.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute House Bill No. 1945 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1945 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1945 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1945 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957, by House Committee on Health Care & Wellness (originally sponsored by Representatives Riccelli, Macri, Ryu, Leavitt, Senn, Reed, Ormsby, Callan, Doglio, Fosse, Goodman, Lekanoff, Wylie, Pollet, and Davis)

Preserving coverage of preventive services without cost sharing.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.43.047 and 2018 c 14 s 1 are each amended to read as follows:

(1) A nongrandfathered health plan issued on or after ((June 7, 2018)) the effective date of this section, must, at a minimum, provide coverage for the ((same)) following preventive services ((required to be covered under 42 U.S.C. Sec. 300gg-13 (2016) and any federal rules or guidance in effect on December 31, 2016, implementing 42 U.S.C. Sec. 300gg-13)) as the recommendations or guidelines existed on January 8, 2024:

(a) Evidence-based items or services that have a rating of A or B in the current recommendations of the United States preventive services task force with respect to the enrollee;

(b) Immunizations for routine use in children, adolescents, and adults that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention with respect to the enrollee. For purposes of this subsection, a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention is considered in effect after the recommendation has been adopted by the director of the centers for disease control and prevention, and a recommendation is considered to be for routine use if the recommendation is listed on the immunization schedules of the centers for disease control and prevention;

(c) With respect to infants, children, and adolescents, evidence-informed preventive care and screenings provided for in comprehensive guidelines supported by the health resources and services administration; and

(d) With respect to women, additional preventive care and screenings that are not listed with a rating of A or B by the United States preventive services task force but that are provided for in comprehensive guidelines supported by the health resources and services administration.

(2) ((The)) A nongrandfathered health plan must provide coverage for the preventive services required to be covered under subsection (1) of this section consistent with federal rules and guidance related to coverage of preventive services in effect on January 8, 2024.

(3) A nongrandfathered health plan must provide coverage for the preventive services required to be covered under subsection (1) of this section for plan years that begin on or after the date that is one year after the date the recommendation or guideline is issued.

(4) A nongrandfathered health plan is no longer required to provide coverage for particular items or services specified in the recommendations or guidelines described in subsection (1) of this section if such a recommendation or guideline is revised by the recommending entities described in subsection (1) of this section to no longer include the preventive item or service as defined in subsection (1) of this section.

(5) Annually, a health carrier shall determine whether any additional items or services must be covered without cost-sharing requirements or whether any items or services are no longer required to be covered as provided in subsections (2) and (3) of this section. The carrier's determination must be included in its health plan filings submitted to the commissioner.

(6)(a) Except as provided in (b) of this subsection, the health plan may not impose cost-sharing requirements for the preventive

services required to be covered under subsection (1) of this section when the services are provided by an in-network provider. If a plan does not have in its network a provider who can provide an item or service described in subsection (1) of this section, the plan must cover the item or service when performed by an out-of-network provider and may not impose cost sharing with respect to the item or service.

~~((3))~~ (b) If any portion of 42 U.S.C. Sec. 300gg-13 is found invalid, for a health plan offered as a qualifying health plan for a health savings account, the carrier may apply cost sharing to coverage of the services that have been invalidated only at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions and withdrawals from the enrollee's health savings account under internal revenue service laws and regulations.

(7) A carrier may use reasonable medical management techniques to determine the frequency, method, treatment, or setting for an item or service described in subsection (1) of this section to the extent not specified in the relevant recommendation or guideline, federal rules and guidance related to the coverage of preventive services in effect on January 8, 2024, and any rules adopted by the insurance commissioner.

(8) The insurance commissioner shall enforce this section consistent with federal rules ~~(, guidance, and case law in effect on December 31, 2016, applicable to 42 U.S.C. 300gg-13 (2016))~~ and guidance in effect on January 8, 2024.

(9) The insurance commissioner may adopt rules necessary to implement this section, consistent with federal statutes, rules, and guidance in effect on January 8, 2024. The insurance commissioner may also adopt rules related to any future preventive services recommendations and guidelines issued by the United States preventive services task force, the advisory committee on immunization practices of the centers for disease control and prevention, and the health resources and services administration or related federal rules or guidance."

On page 1, line 2 of the title, after "sharing;" strike the remainder of the title and insert "and amending RCW 48.43.047."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care to Engrossed Substitute House Bill No. 1957.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1957 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1957 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1957 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen,

Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272, by House Committee on Appropriations (originally sponsored by Representatives Bergquist, Volz, Reeves, Gregerson, Christian, Riccelli, and Schmidt)

Concerning publishing, formatting, and distribution of the state and local voters' pamphlets.

The measure was read the second time.

MOTION

Senator Hunt moved that the following committee striking amendment by the Committee on State Government & Elections be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.32.010 and 2003 c 111 s 801 are each amended to read as follows:

The secretary of state shall, whenever at least one statewide measure or office is scheduled to appear on the general election ballot, print and distribute a voters' pamphlet.

The secretary of state shall distribute the voters' pamphlet to each household in the state, to public libraries, and to any other locations ~~((he or she))~~ the secretary deems appropriate. The secretary of state shall also produce ~~((taped))~~ recorded or Braille transcripts of the voters' pamphlet, publicize their availability, and mail without charge a copy to any person who requests one.

The secretary of state may make the material required to be distributed by this chapter available to the public in electronic form. The secretary of state may provide the material in electronic form to ~~((computer bulletin boards))~~ web based, print, and broadcast news media ~~((, community computer networks,))~~ and similar services at the cost of reproduction or transmission of the data.

"**Sec. 2.** RCW 29A.32.020 and 2003 c 111 s 802 are each amended to read as follows:

No person or entity may publish or distribute any campaign material that is deceptively similar in design or appearance to a voters' pamphlet that was published by the secretary of state during the ~~((ten))~~ 10-year period before the publication or distribution of the campaign material by the person or entity. The secretary of state shall take reasonable measures to prevent or to stop violations of this section. Such measures may include, among others, petitioning the superior court for a temporary restraining order or other appropriate injunctive relief. In addition, the secretary may request the superior court to impose a civil fine on a violator of this section. The court is authorized to levy on and recover from each violator a civil fine not to exceed the greater of: (1) ~~((Two dollars))~~ \$5 for each copy of the deceptive material distributed, or (2) ~~((one thousand dollars))~~

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\$10,000. In addition, the violator is liable for the state's legal expenses and other costs resulting from the violation. Any funds recovered under this section must be transmitted to the state treasurer for deposit in the general fund.

Sec. 3. RCW 29A.32.031 and 2023 c 109 s 8 are each amended to read as follows:

The voters' pamphlet published or distributed under RCW 29A.32.010 must contain:

(1) Information about each ballot measure initiated by or referred to the voters for their approval or rejection as required by RCW 29A.32.070;

(2) In even-numbered years, statements, if submitted, from candidates for the office of president and vice president of the United States, United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, superintendent of public instruction, insurance commissioner, state senator, state representative, justice of the supreme court, judge of the court of appeals, or judge of the superior court. Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;

(3) In odd-numbered years, ~~((4f)) statements, if submitted, from candidates for any office ((voted upon statewide)) listed in subsection (2) of this section that appears on the ballot due to a vacancy((, then statements and photographs for candidates for any vacant office listed in subsection (2) of this section must appear)).~~ Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;

(4) Contact information for the public disclosure commission established under RCW 42.17A.100, including the following statement: "For a list of the people and organizations that donated to state and local candidates and ballot measure campaigns, visit www.pdc.wa.gov." The statement must be placed in a prominent position, such as ~~((on the cover or on))~~ the first two pages of the voters' pamphlet. The secretary of state may substitute such language as is necessary for accuracy and clarity and consistent with the intent of this section;

(5) Contact information for major political parties;

(6) A brief statement explaining the deletion and addition of language for proposed measures under RCW 29A.32.080;

(7) A list of all student engagement hubs as designated under RCW 29A.40.180;

(8) A page providing information about how to access the internet presentation of the information created in RCW 44.48.160 about the state budgets, including a uniform resource locator, a quick response code, and a phone number for the legislative information center. The uniform resource locator and quick response codes will lead the voter to the internet information required in RCW 44.48.160; and

(9) Any additional information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters.

Sec. 4. RCW 29A.32.060 and 2015 c 171 s 2 are each amended to read as follows:

Committees shall write and submit arguments advocating the approval or rejection of each statewide ballot issue and rebuttals of those arguments. The secretary of state, the presiding officer of the senate, and the presiding officer of the house of representatives shall appoint the initial two members of each committee. In making these committee appointments the secretary of state and presiding officers of the senate and house

of representatives shall consider legislators, sponsors of initiatives and referendums, and other interested groups known to advocate or oppose the ballot measure. Committees must have the explanatory and fiscal impact statements available before preparing their arguments.

The initial two members may select up to four additional members, and the committee shall elect a chairperson. The remaining committee member or members may fill vacancies through appointment.

After the committee submits its initial argument statements to the secretary of state, the secretary of state shall transmit the statements to the opposite committee. The opposite committee may then prepare rebuttal arguments. Rebuttals may not interject new points.

The voters' pamphlet may contain only text argument statements prepared according to this section. ~~((Arguments may contain graphs and charts supported by factual statistical data and pictures or other illustrations. Cartoons))~~ Graphs, charts, photographs, cartoons, or caricatures are not permitted.

Sec. 5. RCW 29A.32.070 and 2023 c 109 s 2 are each amended to read as follows:

The secretary of state shall determine the format and layout of the voters' pamphlet published under RCW 29A.32.010. The secretary of state shall print the pamphlet in clear, readable type on a size, quality, and weight of paper that in the judgment of the secretary of state best serves the voters. The pamphlet must contain a table of contents. Measures and arguments must be printed in the order specified by RCW 29A.72.290.

The secretary of state's name may not appear in the voters' pamphlet in ~~((his or her))~~ an official capacity if the secretary is a candidate for office during the same year. ~~((His or her))~~ The secretary's name may only be included as part of the information normally included for candidates.

The voters' pamphlet must provide the following information for each statewide issue on the ballot:

(1) The legal identification of the measure by serial designation or number;

(2) The official ballot title of the measure;

(3) A statement prepared by the attorney general explaining the law as it presently exists;

(4) A statement prepared by the attorney general explaining the effect of the proposed measure if it becomes law;

(5) The fiscal impact statement prepared under RCW 29A.72.025;

(6) The total number of votes cast for and against the measure in the senate and house of representatives, if the measure has been passed by the legislature;

(7) An argument advocating the voters' approval of the measure together with any statement in rebuttal of the opposing argument;

(8) An argument advocating the voters' rejection of the measure together with any statement in rebuttal of the opposing argument;

(9) Each argument or rebuttal statement must be followed by the names of the committee members who submitted them, and may be followed by a telephone number that citizens may call to obtain information on the ballot measure;

(10) The full text of the measure.

Sec. 6. RCW 29A.32.121 and 2004 c 271 s 168 are each amended to read as follows:

(1) The maximum number of words for statements submitted by candidates is as follows: State representative, ~~((one hundred))~~ 100 words; state senator, judge of the superior court, judge of the court of appeals, justice of the supreme court, and all state offices voted upon throughout the state, except that of governor, ~~((two hundred))~~ 200 words; president and vice president, United States

senator, United States representative, and governor, ~~((three hundred))~~ 300 words.

(2) Arguments written by committees under RCW 29A.32.060 may not exceed ~~((two hundred fifty))~~ 250 words in length.

(3) Rebuttal arguments written by committees may not exceed ~~((seventy five))~~ 75 words in length.

(4) The secretary of state or county auditor shall allocate space in the pamphlet based on the number of candidates or nominees for each office.

Sec. 7. RCW 29A.32.210 and 2020 c 337 s 6 are each amended to read as follows:

Before any primary or general election, or any special election held under RCW 29A.04.321 or 29A.04.330, each county auditor shall print and distribute a local voters' pamphlet. The pamphlet shall provide information on all measures and candidates appearing on ballots within that ~~((jurisdiction))~~ county. The format of any local voters' pamphlet shall, whenever applicable, comply with the provisions of this chapter regarding the publication of the state candidates' and voters' pamphlets.

Sec. 8. RCW 29A.32.220 and 2003 c 111 s 814 are each amended to read as follows:

(1) Not later than ~~((ninety))~~ 90 days before the publication and distribution of a local voters' pamphlet by a county, the county auditor shall notify each city, town, or special taxing district ~~((located wholly))~~ with issues or offices appearing on ballots within that county that a pamphlet will be produced.

(2) ~~((If a))~~ All voters' ~~((pamphlet is))~~ pamphlets published by the county ~~((for a primary or general election, the pamphlet shall be published for))~~ pursuant to RCW 29A.32.210 must include the elective offices and ballot measures of the county and ~~((for))~~ the elective offices and ballot measures of each unit of local government ~~((located entirely))~~ within the county which will appear on the ballot at that primary or election. ~~((However, the offices and measures of a first class or code city shall not be included in the pamphlet if the city publishes and distributes its own voters' pamphlet for the primary or election for its offices and measures. The offices and measures of any other town or city are not required to appear in the county's pamphlet if the town or city is obligated by ordinance or charter to publish and distribute a voters' pamphlet for the primary or election for its offices and measures and it does so.))~~

If the required appearance in a county's voters' pamphlet of the offices or measures of a unit of local government would create undue financial hardship for the unit of government, the legislative authority of the unit may petition the legislative authority of the county to waive this requirement. The legislative authority of the county may provide such a waiver if it does so not later than ~~((sixty))~~ 60 days before the publication of the pamphlet and it finds that the requirement would create such hardship.

(3) If a city, town, or district is located within more than one county, ~~((the respective county auditors may enter into an interlocal agreement to permit the distribution of each county's local voters' pamphlet into those parts of the city, town, or district located outside of that county))~~ all appropriate information for that jurisdiction must appear in the local voters' pamphlet for each of the counties containing the jurisdiction. Arguments, candidate statements, and photographs must be submitted to the county auditor of the county that accepted any resolutions or candidate filings for that jurisdiction. The auditor that receives this information shall provide it to the other county auditors after reviewing and accepting the submissions.

~~((4))~~ If a first class or code city authorizes the production and distribution of a local voters' pamphlet, the city clerk of that city shall notify any special taxing district located wholly within that

~~city that a pamphlet will be produced. Notification shall be provided in the manner required or provided for in subsection (1) of this section.~~

~~((5))~~ A unit of local government located within a county and the county may enter into an interlocal agreement for the publication of a voters' pamphlet for offices or measures not required by subsection (2) of this section to appear in a county's pamphlet.

Sec. 9. RCW 29A.32.241 and 2020 c 208 s 12 are each amended to read as follows:

(1) The local voters' pamphlet shall include but not be limited to the following:

(a) Appearing on the cover, the words "official local voters' pamphlet," the name of the jurisdiction producing the pamphlet, and the date of the election or primary;

(b) A list of jurisdictions that have measures or candidates in the pamphlet;

(c) Information on how a person may register to vote and obtain a ballot;

~~((d))~~ Candidate statements and photographs;

~~((e))~~ The text of each measure accompanied by an explanatory statement prepared by the prosecuting attorney for any county measure or by the attorney for the jurisdiction submitting the measure if other than a county measure. All explanatory statements for city, town, or district measures not approved by the attorney for the jurisdiction submitting the measure shall be reviewed and approved by the county prosecuting attorney or city attorney, when applicable, before inclusion in the pamphlet;

~~((f))~~ The arguments for and against each measure submitted by committees selected pursuant to RCW 29A.32.280; and

~~((g))~~ A list of all student engagement hubs in the county as designated under RCW 29A.40.180; and

~~((h))~~ For partisan primary elections, information on how to vote the applicable ballot format and an explanation that minor political party candidates and independent candidates will appear only on the general election ballot).

(2) The county auditor's name may not appear in the local voters' pamphlet in ~~((his or her))~~ an official capacity if the county auditor is a candidate for office during the same year. ~~((His or her))~~ The auditor's name may only be included as part of the information normally included for candidates.

Sec. 10. RCW 29A.32.250 and 2003 c 111 s 817 are each amended to read as follows:

~~((If the legislative authority of a county or first class or code city provides for the inclusion of candidates in the local voters' pamphlet, the pamphlet))~~ Local voters' pamphlets shall include ~~((the))~~ candidate statements ~~((from candidates))~~ accepted by the county auditor and may also include ~~((those))~~ candidates' photographs accepted by the county auditor.

Sec. 11. RCW 29A.32.260 and 2022 c 193 s 2 are each amended to read as follows:

As soon as practicable before the primary, special election, or general election, the county auditor ~~((, or if applicable, the city clerk of a first class or code city, as appropriate,))~~ shall mail the local voters' pamphlet to every residence in each jurisdiction ~~((that has included information))~~ within the county that is participating in the associated primary or election and for which election information is included in the pamphlet. The county auditor ~~((or city clerk, as appropriate,))~~ may choose to mail the pamphlet to each registered voter in each jurisdiction ~~((that has included information in the pamphlet))~~ within the county that is participating in the associated primary or election and for which election information is included in the pamphlet, if in ~~((his or her))~~ the auditor's judgment, a more economical and effective distribution of the pamphlet would result. The county auditor

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shall either mail or send a printable electronic version of the state and local voters' pamphlets to any service or overseas voter registered in the jurisdiction who has requested them.

Sec. 12. RCW 29A.32.280 and 2015 c 146 s 3 are each amended to read as follows:

(1) For each measure from a unit of local government (~~(that is)~~) included in a local voters' pamphlet, the legislative authority of that jurisdiction shall, not later than the resolution deadline, formally appoint a committee to prepare arguments advocating voters' approval of the measure and shall formally appoint a committee to prepare arguments advocating voters' rejection of the measure.

(2) The authority shall appoint persons that reside within the jurisdictional boundaries and are known to favor the measure to serve on the committee advocating approval and shall, whenever possible, appoint persons that reside within the jurisdictional boundaries and are known to oppose the measure to serve on the committee advocating rejection.

(3) Each committee shall have not more than three members, however, a committee may seek the advice of any person or persons.

(4) If the legislative authority of a unit of local government fails to make such appointments by the prescribed deadline, the county auditor shall (~~when possible make the appointments~~) issue a media release and publish information on the auditor's election website announcing the opportunity to form committees and provide statements. If the legislative authority is unable to make appointments, the auditor shall make appointments on a first-come, first-served basis if qualified committee members contact the auditor by the appropriate deadline.

(5) If no statement is produced, the auditor shall include a statement in the pamphlet stating that no person in the jurisdiction contacted the auditor to provide a statement, and there are no statements for that measure.

NEW SECTION. Sec. 13. This act takes effect January 1, 2025."

On page 1, line 2 of the title, after "pamphlets;" strike the remainder of the title and insert "amending RCW 29A.32.010, 29A.32.020, 29A.32.031, 29A.32.060, 29A.32.070, 29A.32.121, 29A.32.210, 29A.32.220, 29A.32.241, 29A.32.250, 29A.32.260, and 29A.32.280; and providing an effective date."

MOTION

Senator Wilson, J. moved that the following amendment no. 744 by Senator Wilson, J. be adopted:

Beginning on page 3, line 19, strike all of section 4
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 9, line 21, after "29A.32.031," strike "29A.32.060,"

Senators Wilson, J., Fortunato and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Hunt spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 744 by Senator Wilson, J. on page 3, line 19 to committee striking amendment.

The motion by Senator Wilson, J. did not carry and amendment no. 744 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 743 by Senator Wilson, J. be adopted:

On page 8, beginning on line 35, after "persons" strike "that reside within the jurisdictional boundaries and are"

Beginning on page 8, line 38, after "persons" strike "that reside within the jurisdictional boundaries and are"

On page 9, line 15, after "person" strike "in the jurisdiction"

Senators Wilson, J. and Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Hunt spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 743 by Senator Wilson, J. on page 8, line 35 to committee striking amendment.

The motion by Senator Wilson, J. did not carry and amendment no. 743 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on State Government & Elections to Engrossed Second Substitute House Bill No. 1272.

The motion by Senator Hunt carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Second Substitute House Bill No. 1272 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hunt spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1272 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1272 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1948, by Representatives Ybarra, Fitzgibbon, Reed, Graham, Ormsby, Doglio, and Pollet

Ensuring that methods for calculating the electric load of utilities under the energy independence act do not have the effect of discouraging voluntary investments in renewable power.

The measure was read the second time.

MOTION

On motion of Senator MacEwen, the rules were suspended, House Bill No. 1948 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen and Nguyen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1948.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1948 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1948, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2086, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Entenman, Goodman, Fitzgibbon, Berry, Reed, Ormsby, Street, Doglio, Farivar, and Kloba)

Updating processes of the office of independent investigations by changing authority to obtain and share investigative information and aligning with current operations and practices.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be not adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.102.010 and 2021 c 318 s 201 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advisory board" means the office of independent investigations advisory board.

(2) "Deadly force" has the meaning provided in RCW 9A.16.010.

(3) "Director" means the director of the office of independent investigations.

(4) "Great bodily harm" has the meaning provided in RCW 9A.04.110.

(5) "In-custody" refers to a person who is under the physical control of a general authority Washington law enforcement agency or a limited authority Washington law enforcement agency as defined in RCW 10.93.020 or a city, county, or regional adult or juvenile institution, correctional, jail, holding, or detention facility as defined in RCW 70.48.020, 72.09.015, or 13.40.020.

(6) "Independent investigation team" means a team of qualified and certified peace officer investigators, civilian crime scene specialists, and other representatives who operate independently of any involved agency to conduct investigations of police deadly force incidents. An independent investigation team may be comprised of multiple law enforcement agencies who jointly investigate police use of force incidents in their geographical regions or may be a single law enforcement agency, provided it is not the involved agency.

(7) "Involved agency" means a general authority Washington law enforcement agency or limited authority Washington law enforcement agency, as defined in RCW 10.93.020, that employs or supervises the officer or officers who are an involved officer as defined in this section, or an agency responsible for a city, county, or regional adult or juvenile institution, correctional, jail, holding, or detention facility as defined in RCW 70.48.020, 72.09.015, or 13.40.020.

(8) "Involved officer" means one of the following persons who is involved in an incident as an actor or custodial officer in which the act or omission by the individual is within the scope of the jurisdiction of the office as defined in this chapter:

(a) A general authority Washington peace officer, specially commissioned Washington peace officer, or limited authority Washington peace officer, as defined in RCW 10.93.020, whether on or off duty if he or she is exercising his or her authority as a peace officer; or

(b) An individual while employed in a city, county, or regional adult or juvenile institution, correctional, jail, holding, or detention facility as defined in RCW 70.48.020, 72.09.015, or 13.40.020.

(9) "Office" means the office of independent investigations.

(10) "Substantial bodily harm" has the same meaning as in RCW 9A.04.110.

(11) "911 communications center" for purposes of this chapter means a public safety answering point or any other entity that captures and maintains data that is utilized in a 911 emergency communications system, as defined in RCW 38.52.010.

Sec. 2. RCW 43.102.050 and 2021 c 318 s 304 are each amended to read as follows:

(1) The director shall:

(a) Oversee the duties and functions of the office and investigations conducted by the office pursuant to this chapter;

(b) Hire or contract with investigators and other personnel as the director considers necessary to perform investigations conducted by the office, and other duties as required, under this chapter;

(c) Plan and provide trainings for office personnel, including contracted investigators, that promote recognition of and respect for, the diverse races, ethnicities, and cultures of the state;

(d) Plan and provide training for advisory board members including training to utilize an antiracist lens in their duties as advisory board members;

(e) Publish reports of investigations conducted under this chapter;

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(f) Enter into contracts and memoranda of understanding as necessary to implement the responsibilities of the office under this chapter;

(g) Adopt rules in accordance with chapter 34.05 RCW and perform all other functions necessary and proper to carry out the purposes of this chapter;

(h) Develop the nondisclosure agreement required in RCW 43.102.130; and

(i) Perform the duties and exercise the powers that are set out in this chapter, as well as any additional duties and powers that may be prescribed.

(2) No later than February 1, 2022, in consultation with the advisory board, the director shall develop a plan to implement:

(a) Regional investigation teams and a system for promptly responding to incidents of deadly force under the jurisdiction of the office. The regional investigation teams should:

(i) Allow for prompt response to the incident requiring investigation; and

(ii) Include positions for team members who are not required to be designated as limited authority Washington peace officers;

(b) A system and requirements for involved agencies to notify the office of any incident under the jurisdiction of the office, which must include direction to agencies as to what incidents of force and injuries and other circumstances must be reported to the office, including the timing of such reports, provided that any incident involving substantial bodily harm, great bodily harm, or death is reported to the office immediately in accordance with RCW 43.102.120;

(c) The process to conduct investigations of cases under the jurisdiction of the office including, but not limited to:

(i) The office intake process following notification of an incident by an involved agency;

(ii) The assessment and response to the notification of the incident by the office, including direction to and coordination with the independent investigation team;

(iii) Determination and deployment of necessary resources for the regional investigation teams to conduct the investigations;

(iv) Determination of any conflicts with office investigators or others involved in the investigation to ensure no investigator has an existing conflict with an assigned case;

(v) Protocol and direction to the involved agency;

(vi) Protocol and direction to the independent investigation team;

(vii) Protocol and guidelines for contacts and engagement with the involved agency; and

(viii) Protocol for finalizing the completed investigation and referral to the entity responsible for the prosecutorial decision, including communication with the family and public regarding the completion of the investigation;

(d) A plan for the office's interaction, communications, and responsibilities to: The involved officer; the individual who is the subject of the action by the involved officer that is the basis of the case under investigation, and their families; the public; and other interested parties or stakeholders. The plan must consider the following:

(i) A process for consultation, notifications, and communications with the person, family, or representative of any person who is the subject of the action by the involved officer that is the basis of the case under investigation;

(ii) Translation services which may be utilized through employees or contracted services;

(iii) Support to access assistance or services to the extent possible; and

(iv) A process for situations in which a tribal member is involved in the case that ensures consultation with the federally

recognized tribe, and notification of the governor's office of Indian affairs within 24 hours in cases of deadly use of force;

(e) Training for employees and contractors of the office to begin prior to July 1, 2022; and

(f) Prioritization of cases for investigation.

(3) No later than December 1, ((2023)) 2025, in consultation with the advisory board, the director shall develop a proposal for training individuals who are nonlaw enforcement officers to conduct competent, thorough investigations of cases under the jurisdiction of the office. The proposal must establish a training plan with an objective that within five years of the date the office begins investigating deadly force cases the cases will be investigated by nonlaw enforcement officers. The director shall report such proposal to the governor and legislature by December 1, ((2023)) 2025. Any proposal offered by the director must ensure investigations are high quality, thorough, and competent.

(4) The director, in consultation with the advisory board, shall implement a plan to review prior investigations of deadly force by an involved officer if new evidence is brought forth that was not included in the initial investigation and investigate if determined appropriate based on the review. The director must prioritize the review or investigation of (~~cases occurring prior to July 1, 2022,~~) prior investigations based on resources and other cases under investigation with the office. Incidents occurring after the date the office begins investigating cases will receive the highest priority for investigation.

Sec. 3. RCW 43.102.080 and 2021 c 318 s 308 are each amended to read as follows:

(1) The office has jurisdiction over, and is authorized to conduct investigations of, all cases and incidents as established within this section.

(2)(a) The director may cause an investigation to be conducted into any incident:

(i) Of a use of deadly force by an involved officer occurring after July 1, 2022, including any incident involving use of deadly force by an involved officer against or upon a person who is in-custody or out-of-custody; or

(ii) Involving prior investigations of deadly force by an involved officer if new evidence is brought forth that was not included in the initial investigation.

(b) This section applies only if, at the time of the incident:

(i) The involved officer was on duty; or

(ii) The involved officer was off duty but:

(A) Engaged in the investigation, pursuit, detention, or arrest of a person or otherwise exercising the powers of a general authority or limited authority Washington peace officer; or

(B) The incident involved equipment or other property issued to the official in relation to his or her duties.

(3) The director shall determine prioritization of investigations based on resources and other criteria which may be established in consultation with the advisory board. The director shall ensure that incidents occurring after the date the office begins investigating cases receive the highest priority for investigation.

(4) The investigation should include a review of the entire incident, including but not limited to events immediately preceding the incident that may have contributed to or influenced the outcome of the incident that are directly related to the incident under investigation.

(5) Upon receiving notification required in RCW 43.102.120 of an incident under the jurisdiction of the office, the director:

(a) May cause the incident to be investigated in accordance with this chapter;

(b) May determine investigation is not appropriate for reasons including, but not limited to, the case not being in the category of prioritized cases; or

(c) If the director determines that the incident is not within the office's jurisdiction to investigate, the director shall decline to investigate, and shall give notice of the fact to the involved agency.

(6) If the director determines the case is to be investigated the director will communicate the decision to investigate to the involved agency and will thereafter be the lead investigative body in the case and have priority over any other state or local agency investigating the incident or a case that is under the jurisdiction of the office. The director will implement the process developed pursuant to RCW 43.102.050 and conduct the appropriate investigation in accordance with the process.

(7) In conducting the investigation the office shall have access to, and copies of, reports and information necessary or related to the investigation in the custody and control of the involved agency, 911 emergency communication centers, and any law enforcement agency responding to the scene of the incident ~~((including))~~ as soon as possible. This includes, but is not limited to, voice or video recordings, body camera recordings, and officer notes, as well as disciplinary and administrative records except those that might be statements conducted as part of an administrative investigation related to the incident.

(8) The investigation shall be concluded within 120 days of acceptance of the case for investigation. If the office is not able to complete the investigation within 120 days, the director shall report to the advisory board the reasons for the delay.

Sec. 4. RCW 43.102.100 and 2021 c 318 s 310 are each amended to read as follows:

The office will conduct analysis of use of force and other data to the extent such data is available to the office. The director is authorized to enter into contracts or memoranda of understanding to access data as needed. If data is available, the office should, at a minimum, analyze and report annually: Analysis and research regarding any identified trends, patterns, or other situations identified by the data; and recommendations for improvements. ~~((After July 1, 2024, the office should also annually report recommendations, if any, for expanding the scope of investigations or jurisdiction of the office based on trends, data, or reports received by the agency.))~~

Sec. 5. RCW 43.102.120 and 2021 c 318 s 402 are each amended to read as follows:

(1) ~~((Following notification by the director that the office will accept investigations of cases under its jurisdiction after July 1, 2022, an))~~ An involved agency shall notify the office of any incident by an involved officer in accordance with the requirements under RCW 43.102.050 and pursuant to this section.

(a) If the incident involves use of deadly force by an involved officer that results in death, substantial bodily harm, or great bodily harm the involved agency must immediately contact the office pursuant to the procedure established by the director once the involved agency personnel and other first responders have rendered the scene safe and provided or facilitated lifesaving first aid to persons at the scene who have life-threatening injuries. This requirement does not affect the duty of law enforcement under RCW 36.28A.445.

(b) In all other cases, the involved agency must notify the office of the incident pursuant to the procedure established by the director.

(2)(a) In any case that requires notice to the director under this section, the involved agency shall ensure that any officers or employees over which the involved agency has authority who are at the scene of the incident take all lawful measures necessary for the purposes of protecting, obtaining, or preserving evidence relating to the incident until an office investigator, or independent

investigation team at the request of the office, takes charge of the scene.

(b) The primary focus of the involved agency must be the protection and preservation of evidence in order to maintain the integrity of the scene until the office investigator or independent investigation team arrives or otherwise provides direction regarding activities at the scene. The involved agency should ensure that evidence, including but not limited to the following is protected and preserved:

(i) Physical evidence that is at risk of being destroyed or disappearing and cannot be easily reconstructed, including evidence which may be degraded or tainted by human or environmental factors if left unprotected or unpreserved;

(ii) Identification and contact information for witnesses to the incident; and

(iii) Photographs and other methods of documenting the location of physical evidence and location and perspective of witnesses.

(3)(a) When the office investigator, or independent investigation team acting at the request of the office, arrives at the scene of an incident under the jurisdiction of the office, the involved agency will relinquish control of the scene to the office investigator or independent investigation team upon the request of the office investigator. The involved agency has a duty to comply with the requests of the office related to the investigation conducted pursuant to this chapter.

(b) Once the scene is relinquished, no member of the involved agency may participate in any way in the investigation, with the exception of the use of specialized equipment that is necessary for the investigation and where no alternative exists. If there is any equipment of the involved agency used in the investigation, steps must be taken to appropriately limit the role of any involved agency personnel in facilitating the use of that equipment or their engagement with the investigation.

(4) If an independent investigation team takes control of the scene at the request of the office, the independent investigation team shall relinquish control of the scene and investigation at the request of the office when the office is on the scene or otherwise provides notice that the office is taking control of the scene. The independent investigation team may continue to engage in the investigation conducted at the scene if requested to do so by the lead office investigator, director, or the director's designee. The involvement of the independent investigation team is limited to activities requested by the office and must terminate following the securing of the scene and any evidence preservation or other actions as determined necessary by the office at the scene. The independent investigation team may not continue to participate in the ongoing investigation.

(5)(a) No information about the ongoing independent investigation under the jurisdiction of the office may be shared with any member of the involved agency, except ~~((limited briefings given to the chief or sheriff of the involved agency about the progress of the investigation.))~~ as follows:

(i) Limited briefings given to the chief or sheriff of the involved agency about the progress of the investigation; or

(ii) Information essential to protect the safety of the community or the integrity of any ongoing, urgent criminal investigation; and

(iii) Sharing of the information will not impede the ongoing investigation being conducted by the office.

(b) No information provided under (a) of this subsection may be divulged to any involved officers or witness officers. If any information is disclosed pursuant to (a)(ii) of this subsection, the following must also occur:

(i) The office must document the exact information provided, to whom it was provided, and the reason it was provided;

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(ii) The involved agency must agree in writing that no involved officer or witness officer will have access to the information other than what is released to the general public. Any press release containing information provided by the office pursuant to this section must be preapproved by the office; and

(iii) The person, family, or representative of any person who is the subject of the action by the involved officer that is under investigation by the office must be notified by the office that the information was provided and, as soon as possible without jeopardizing the integrity of any investigation, be provided with the information contained in (b)(i) and (ii) of this subsection.

(6) If the office declines to investigate a case, the authority and duty to investigate remains with the independent investigation team or local law enforcement authority with jurisdiction over the incident."

On page 1, line 4 of the title, after "practices;" strike the remainder of the title and insert "and amending RCW 43.102.010, 43.102.050, 43.102.080, 43.102.100, and 43.102.120."

Senators Dhingra spoke in favor of not adopting the committee striking amendment.

Senator Padden spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be to not adopt the committee striking amendment by the Committee on Law & Justice to Substitute House Bill No. 2086.

The motion by Senator Dhingra carried and the committee striking amendment was not adopted by a rising vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 2086 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2086.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2086 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2086, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:57 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the

purposes of caucuses, meetings of the Committees on Ways & Means and Rules, and a lunch break.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Muzzall announced a meeting of the Republican Caucus immediately upon going at ease.

The Senate was called to order at 3:47 p.m. by the President if the Senate, Lt. Governor Heck presiding.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, by House Committee on Transportation (originally sponsored by Representatives Fey, Timmons, Paul, Wylie, and Reeves)

Making supplemental transportation appropriations for the 2023-2025 fiscal biennium.

The measure was read the second time.

MOTION

Senator Pedersen moved that the following striking amendment no. 736 by Senators Liias and King be adopted:

Strike everything after the enacting clause and insert the following:

"2023-2025 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 101. 2023 c 472 s 105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation ~~(\$1,462,000)~~
\$1,473,000

Sec. 102. 2023 c 472 s 108 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Carbon Emissions Reduction Account—State Appropriation
\$5,000,000

Electric Vehicle Account—State Appropriation \$220,000

Multimodal Transportation Account—State Appropriation
\$300,000

TOTAL APPROPRIATION \$5,520,000

The ~~((appropriation))~~ appropriations in this section ~~((is))~~ are subject to the following conditions and limitations:

(1) \$220,000 of the electric vehicle account—state appropriation is provided solely to the department to commission an independent study, based on the findings of the transportation electrification strategy authorized under RCW 43.392.040, of costs of installation, maintenance, and operation of electrical distribution infrastructure on the utility's side of the meter to commercial customers installing electric vehicle supply equipment. The department shall gather data from at least five electric utilities serving retail customers in the state for purposes of completing the study. The department shall submit a report of study findings and an explanation of how those findings will support implementation of the transportation electrification strategy authorized under RCW 43.392.040 to the governor and appropriate legislative committees by November 1, 2024.

(2) Beginning January 1, 2025, \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for a tribal electric boat grant program. Federally

recognized tribes are eligible to apply for grant funds for the purchase of or conversion to electric boats and motors.

(3)(a) \$300,000 of the multimodal transportation account—state appropriation is provided solely to the department, in collaboration with the interagency electric vehicle coordinating council, appropriate state and local agencies, climate and environmental justice organizations, consumer and ratepayer advocates, industry representatives, labor representatives, consumer-owned electric utilities, investor-owned electric utilities, and building owners and operators, to develop legislative recommendations regarding:

(i) Maximum timelines for electric vehicle supply equipment project permitting and interconnection;

(ii) Necessary reporting requirements for electric utilities on transportation electrification efforts;

(iii) Requirements for consumer information on electric vehicle supply equipment;

(iv) Extending right-to-charge policies to tenants and homeowners outside of common interest communities;

(v) Reliability standards for both publicly funded and publicly available electric vehicle supply equipment; and

(vi) Other policies to implement recommendations on improving electric vehicle supply equipment availability and use in the transportation electrification strategy under RCW 43.392.040.

(b) The department, in collaboration with the entities listed under (a) of this subsection, must also evaluate the best method to develop a comprehensive and publicly available inventory of all electric vehicle supply equipment in Washington, to include, but not be limited to:

(i) Reporting requirements for electric vehicle supply equipment providers, owners, and operators or any other entities necessary to develop and implement the inventory;

(ii) Rules necessary to determine required information, such as counts of operational electric vehicle supply equipment and ports, electrical power, utilization, reliability data, and other nonproprietary data, and a reporting process for collecting such data for the inventory; and

(iii) Identifying data that may be classified as confidential and a means for protecting such data, including data aggregation and the consideration of using a third-party entity to receive and secure data.

(c) The department must provide a report to the appropriate committees of the legislature on initial recommendations described under (a) of this subsection and the evaluation results under (b) of this subsection by December 31, 2024, and a final report with all remaining recommendations by June 30, 2025.

Sec. 103. 2023 c 472 s 109 (uncodified) is amended to read as follows:

FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account—State Appropriation	((\$3,574,000))
	\$3,577,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The board of pilotage commissioners shall file the annual report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) by September 1, 2023, and annually thereafter. The report must include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(2) \$232,000 of the pilotage account—state appropriation is for a temporary environmental planner position to support rule making to fulfill the requirements of chapter 289, Laws of 2019.

Sec. 104. 2023 c 472 s 111 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Motor Vehicle Account—State Appropriation	\$1,470,000
Multimodal Transportation Account—State Appropriation	((\$5,000,000))
	\$5,060,000
TOTAL APPROPRIATION	\$6,530,000

The ~~((appropriation))~~ appropriations in this section ~~((*))~~ are subject to the following conditions and limitations:

(1) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state facilities. To the extent practicable, the final product must be suitable for use by the department of transportation, local and regional agencies, tribal governments, and the general public. For the 2023-2025 fiscal biennium, the project will produce a base active transportation data layer for all counties, with priority given to counties with high proportions of overburdened communities. A project status report is due to the transportation committees of the legislature on December 1st of each year until the work is completed. The legislature intends that in the 2025-2027 fiscal biennium, \$5,000,000 of multimodal transportation account funds be provided to complete a second phase of work on the active transportation data.

(2)(a) \$60,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington center for real estate research, in collaboration with the Puget Sound regional council, to complete a review of transit-oriented development conditions in cities in King, Pierce, Spokane, Clark, and Snohomish counties that (i) have populations of more than 12,500; and (ii) have at least one major transit stop, as defined in RCW 36.70A.030.

(b) The review must be based on any comprehensive plans, housing-focused local tax and fee programs, and development regulations required to be adopted on or before December 31, 2024. The review must also include the following elements in a report that enables comparison of transit-oriented development conditions on a city-by-city basis:

(i) A summary of zoned density, floor area ratio, height or bulk limitations, parking requirements, impact fees, and other relevant development constraints or requirements, fees, charges, or conditions that apply to transit-oriented development within the jurisdiction;

(ii) A summary and analysis of any local or state housing tax, charge or fee rates, exactions and incentives, affordable housing requirements, and antidisplacement strategies that apply to transit-oriented development; and

(iii) Recommendations on strategies to increase the supply and affordability of transit-oriented development.

(c) The review must apply to areas within the following distances of a major transit stop:

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(i) One-half mile radius of an entrance to a train station with a stop on a light rail system, a commuter rail stop, or a stop on rail or fixed guideway system; and

(ii) One-quarter mile radius of a stop on a fixed route bus system that is funded in part or in full by the United States department of transportation funding for bus rapid transit.

(d) The center must seek input from a broad range of stakeholders with expertise in transit-oriented development, including nonprofit and for-profit developers of affordable housing, developers of market-rate and workforce housing, local governments, the Washington housing finance commission, and other stakeholders as determined by the center.

(e) The center must provide its review and a preliminary report to the appropriate committees of the legislature by December 31, 2024, and a final report, updated to reflect any intervening comprehensive plan revisions, by June 30, 2025.

(3)(a) \$1,470,000 of the motor vehicle account—state appropriation is provided solely for the Washington state transportation center to fund:

(i) Intern programs with the department of transportation;

(ii) A road scholars short-term training program; and

(iii) Professional master's degree fellowships between the department of transportation and the University of Washington within a program in civil and environmental engineering.

(b) Of the amounts provided in this subsection, \$81,000 is provided solely for the center to consult with the board of registration for professional engineers & land surveyors to conduct a statewide survey and analysis assessing workforce shortages of civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines. The center shall create a recommended action plan, with input from the legislative transportation committees, to address engineering workforce shortages and to meet the increased demand for services. The analysis and recommended action plan must include, for civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines, at a minimum:

(i) Opportunities to create diverse and equitable engineering workforce;

(ii) Workforce data and gaps;

(iii) Current education pathways and licensure processes;

(iv) Current programs focused on workforce development and position skill-up opportunities;

(v) Strategies to retain workforce within the state;

(vi) Outreach opportunities and interinstitutional partnerships with middle schools, high schools, postsecondary institutions, and postgraduate programs; and

(vii) Recommendations for additional scholarships, internship and apprenticeship opportunities, undergraduate and graduate fellowship opportunities, and industry partnership opportunities.

(c) The center shall provide a preliminary plan with proposed actions, budgets, and outcomes to the transportation committees of the legislature by November 2024. The center shall provide a final action plan report with relevant recommendations to the transportation committees of the legislature by December 31, 2024.

Sec. 105. 2023 c 472 s 114 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Carbon Emissions Reduction Account—State Appropriation
\$6,000,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$6,000,000 of the carbon emissions reduction account—state appropriation is provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installations. The electric vehicle charging equipment (~~(must allow for the collection of usage data and~~) must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities and where zero emission fleet vehicles are located or are scheduled to be purchased.

(2) The department must report when and where the equipment was installed (~~(usage data at each charging station,)) and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30, 2025, with an interim report due January 2, 2024. The department shall collaborate with the interagency electric vehicle coordinating council to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).~~

(3) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204 (~~(of this act)), chapter 472, Laws of 2023~~ for programs that receive funding from the carbon emissions reduction account.

(4) The department, with the assistance of designated staff in the Washington state department of transportation, must register for the clean fuels credit program and start tracking revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act.

NEW SECTION. Sec. 106. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Ignition Interlock Device Revolving Account—State Appropriation
\$400,000

The appropriation in this section is subject to the following conditions and limitations: \$400,000 of the ignition interlock device revolving account—state appropriation is provided solely for an evaluation of compliance and results associated with the state's ignition interlock device requirements. The evaluation must include, but is not limited to, the following: (1) An assessment of the compliance rates for individuals with a legal requirement to have an ignition interlock device installed on their vehicle; (2) a review of impediments or barriers to individual compliance with ignition interlock device installation and use requirements; (3) an examination of state and local agency performance in monitoring and enforcing ignition interlock device requirements; and (4) prioritized recommendations of potential procedural, policy, or statutory changes, including additional fiscal resources to state or local agencies, which will improve ignition interlock device compliance rates. The office of financial management shall place the amount provided in this section in unallotted status until the joint legislative and audit review committee indicates that the evaluation can be completed within its workplan for the 2023-2025 fiscal biennium. If the evaluation cannot be initiated in the 2023-2025 fiscal biennium, the joint legislative and audit review committee must prioritize the evaluation of compliance and results associated with the state's ignition interlock device requirements in its workplan for the 2025-2027 fiscal biennium. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature before making a decision to allot these funds.

NEW SECTION. Sec. 107. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Model Toxics Control Capital Account—State Appropriation
\$15,715,000

The appropriation in this section is subject to the following conditions and limitations: \$15,715,000 of the model toxics control capital account—state appropriation is provided solely for the department to provide grants to transition from diesel school buses and other student transport vehicles to zero emissions vehicles and for the necessary fueling infrastructure needed for zero emissions student transportation. The department must prioritize school districts serving tribes and vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Up to five percent of the appropriation in this section may be used for technical assistance and grant administration.

NEW SECTION. Sec. 108. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

Multimodal Transportation Account—State Appropriation
\$140,000

The appropriation in this section is subject to the following conditions and limitations: \$140,000 of the multimodal transportation account—state appropriation is provided solely for the Western Washington University center for economic and business research to conduct an economic study focused on multiple economic activities surrounding the Washington state ferry system. Specifically, the study must analyze the direct economic impacts of Washington state ferry system spending, along with peer-reviewed, estimated ranges for economic activities supported by the ferry fleets' movement of passengers and freight as it relates to tourism, labor, and commerce. The department must collaborate with the university regarding the analysis by making administrative data, including financial and ridership data, available to the university. The university must submit a report summarizing the analysis to the office of the governor and the transportation committees of the legislature by December 31, 2024.

NEW SECTION. Sec. 109. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR WASHINGTON STATE UNIVERSITY

Highway Safety Account—State Appropriation	\$150,000
Multimodal Transportation Account—State Appropriation	\$100,000
TOTAL APPROPRIATION	\$250,000

The appropriations in this section are subject to the following conditions and limitations: \$150,000 of the highway safety account—state appropriation is provided solely to convene a work group that includes, but is not limited to, the attorney general's office, the department of transportation, Washington state patrol, and the Washington traffic safety commission, to develop recommended legislation, by December 1, 2024, regarding the use of sobriety checkpoints in DUI enforcement. The work group must review the legal findings and holdings by the Washington supreme court in *City of Seattle v. Mesiani* and evaluate previous legislation from Washington and other states, as well as federal case law, authorizing the use of sobriety checkpoints.

NEW SECTION. Sec. 110. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Aeronautics Account—State Appropriation \$188,000

The appropriation in this section is subject to the following conditions and limitations: \$188,000 of the aeronautics account—

state appropriation is provided solely for the Washington state institute for public policy to:

(1) Conduct an independent, nonpartisan assessment of the passenger and air cargo forecasts cited in the Puget Sound regional council regional aviation baseline study, including an evaluation of the underlying data, assumptions, methodologies, and calculation of the level of uncertainty around the forecast;

(2) Conduct a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel, including diverting such demand to other modes to avoid environmental impacts to overburdened communities and vulnerable populations;

(3) Conduct a review of existing operational and technological enhancements to address environmental impacts from commercial aviation activities, including, but not limited to, climate friendly routing of aircraft, innovations intended to address the climate change effects of noncarbon dioxide emissions from aviation activities, simulation models applied to congested airports, and online tools to track, analyze, and improve carbon footprints related to aviation activities. The review should identify the feasibility of enhancements to be deployed in the state of Washington; and

(4) Provide a report to the office of the governor and the transportation committees of the legislature by December 31, 2025.

Sec. 111. 2023 c 472 s 110 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

State Patrol Highway Account—State Appropriation \$750,000

The appropriation in this section is subject to the following conditions and limitations: \$750,000 of the state patrol highway account—state appropriation is provided solely to the state office of equity to contract with an independent consultant to conduct the ~~((studies, evaluations, and reporting))~~ functions required in RCW 43.06D.060.

TRANSPORTATION AGENCIES—OPERATING

Sec. 201. 2023 c 472 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation	(\$5,252,000)
	<u>\$8,841,000</u>

Highway Safety Account—Federal Appropriation	(\$27,735,000)
	<u>\$35,744,000</u>

Highway Safety Account—Private/Local Appropriation	\$60,000
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Cooper Jones Active Transportation Safety Account— State Appropriation	(\$636,000)
	<u>\$836,000</u>

School Zone Safety Account—State Appropriation	\$850,000
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TOTAL APPROPRIATION	(\$34,533,000)
	<u>\$46,331,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within existing resources, the commission must examine national safety reports and recommendations on alcohol and drug impaired driving and report to the transportation committees of the legislature, by December 15, 2023, any recommendations for legislative or policy changes to improve traffic safety in Washington state.

(2)(a) \$235,500 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission to conduct research pertaining to the issue of street lighting and safety, including a public input component and

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learning from counties, cities, the state, and other impacted entities. Research may include the following:

(i) Interviewing additional local and regional roads departments, water-sewer districts, and other utility services to gather a holistic data set or further input on which authority assumes primary responsibility for street illumination in various underserved areas throughout the state;

(ii) Systematically soliciting information from communities with poor street illumination and lighting to gather input as to whether this is an issue the community would like to see improved;

(iii) Conferring with regional and state-level police, fire, and emergency medical services to assess and document potential delays in emergency response times due to poor street illumination;

(iv) Further assessing the impact of using LED lights in roadway and pedestrian scale lighting in reducing carbon emissions and light pollution throughout the United States; and

(v) Subject to more in-depth findings, convening a meeting with appropriate state, regional, and local stakeholders and community partners.

(b) The commission must report research results and provide any recommendations for legislative or policy action to the transportation committees of the legislature by January 1, 2025.

(3) Within existing resources, the commission, through the Cooper Jones active transportation safety council, must prioritize the review of pedestrian, bicyclist, or nonmotorist fatality and serious injury review when the victim is a member of a federally recognized tribe. Consistent with RCW 43.59.156(5), the commission may recommend any policy or legislative changes to improve traffic safety for tribes through such review.

(4) Within existing resources, the commission must review and report to the transportation committees of the legislature, by December 15, 2023, on strategies and technologies used in other states to prevent and respond to wrong-way driving crashes.

~~(5) ((The Washington traffic safety commission shall coordinate with each city that implements a pilot program as authorized in RCW 46.63.170(6) to provide the transportation committees of the legislature with the following information by June 30, 2025:~~

~~(a) The number of warnings and infractions issued to first time violators under the pilot program;~~

~~(b) The number of warnings and infractions issued to the registered owners of vehicles that are not registered with an address located in the city conducting the pilot program; and~~

~~(c) The frequency with which warnings and infractions are issued on weekdays versus weekend days.~~

~~(6)) \$50,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.~~

~~((7)) (6) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."~~

(a) Any programs authorized by the commission must be authorized by December 31, 2024.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county government shall install two signs facing opposite directions within 200 feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used that state "Street Racing Noise Pilot Program in Progress";

(iii) Cities testing the use of automated vehicle noise enforcement cameras must post information on the city website and notify local media outlets indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) A city may only issue a warning notice with no penalty for a violation detected by automated vehicle noise enforcement cameras in a Stay Out of Areas of Racing zone. Warning notices must be mailed to the registered owner of a vehicle within 14 days of the detected violation;

(v) A violation detected through the use of automated vehicle noise enforcement cameras is not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120;

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this subsection ~~((7)) (6)~~ are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection ~~((7)) (6)~~; and

(vii) By June 30, 2025, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(7) \$200,000 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission, in consultation with the Cooper Jones active transportation safety council, to research and develop a pilot program for the use of light meters by law enforcement to measure lighting levels at locations where a serious injury or fatality involving a vehicle has occurred. However, the funds must be held in unallotted status until the commission submits a spending plan for the pilot program to the transportation committees of the legislature and the office of the governor.

(8) \$300,000 of the highway safety account—state appropriation is provided solely for the commission to purchase telematics data from a qualified vendor that provides anonymized information on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in selected geographical areas based upon demographic characteristics and crash history. The commission must provide an annual report summarizing findings from the telematics data to the transportation committees of the legislature beginning by June 30, 2025, and until June 30, 2027.

(9) \$750,000 of the highway safety account—state appropriation is provided solely for a pilot program for dedicated probation or compliance officers at the local level to improve compliance with ignition interlock device installation

requirements associated with impaired driving offenses. The commission must select locations based on an assessment of ignition interlock device compliance rates, and the willingness and ability to have staff dedicated to this activity. By June 30, 2025, the commission must provide to the transportation committees of the legislature a status report on the specific locations selected and any outcome information.

(10) \$2,000,000 of the highway safety account—state appropriation is provided solely to implement a multifaceted approach to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement, indigenous knowledge-informed tribal traffic safety support, expanded enforcement training, and additional traffic enforcement equipment. Funding is also provided for the commission to administer and provide oversight of these activities. By June 30, 2025, the commission must provide a report to the transportation committees of the legislature on these funded activities and any outcome information.

Sec. 202. 2023 c 472 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	(((\$2,405,000))
	<u>\$1,766,000</u>
Motor Vehicle Account—State Appropriation	(((\$3,005,000))
	<u>\$3,373,000</u>
County Arterial Preservation Account—State Appropriation	(((\$1,808,000))
	<u>\$1,840,000</u>
TOTAL APPROPRIATION	(((\$7,218,000))
	<u>\$6,979,000</u>

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 203. 2023 c 472 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State Appropriation	(((\$4,798,000))
	<u>\$4,820,000</u>

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the transportation improvement board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 204. 2023 c 472 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE	
Carbon Emissions Reduction Account—State Appropriation	\$3,000,000

Multimodal Transportation Account—State Appropriation	(((\$125,000))
	<u>\$602,000</u>
Motor Vehicle Account—State Appropriation	(((\$4,270,000))
	<u>\$6,050,000</u>
TOTAL APPROPRIATION	(((\$7,395,000))
	<u>\$9,652,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to convene a study of a statewide retail delivery fee on orders of taxable retail items delivered by motor vehicles within the state. The study must:

- (i) Determine the annual revenue generation potential of a range of fee amounts;
- (ii) Examine options for revenue distributions to state and local governments based upon total deliveries, lane miles, or other factors;
- (iii) Estimate total implementation costs, including start-up and ongoing administrative costs; and
- (iv) Evaluate the potential impacts to consumers, including consideration of low-income households and vulnerable populations and potential impacts to businesses.

(b) The study should document and evaluate similar programs adopted in other states. The joint transportation committee must submit a report on the study to the transportation committees of the legislature by June 30, 2024.

(2)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee, in collaboration with the department of transportation, to convene a work group to study and recommend a new statutory framework for the department's public-private partnership program. The committee may contract with a third-party consultant for work group support and drafting the new statutory framework.

(b)(i) The work group must consist of, but is not limited to, the following members:

- (A) The secretary of transportation or their designee;
- (B) Joint transportation committee executive committee members or their designees;
- (C) The state treasurer or the state treasurer's designee;
- (D) A representative of a national nonprofit organization specializing in public-private partnership program development;
- (E) A representative of the construction trades; and
- (F) A representative from an organization representing general contractors.

(ii) The work group must also consult with the Washington state transportation commission and the department of commerce.

(c)(i) The work group must review the 2012 joint transportation committee's "Evaluation of Public-Private Partnerships" study, consisting of an evaluation of the recommendations for replacing chapter 47.29 RCW and development of a process for implementing public-private partnerships that serve the defined public interest, including, but not limited to:

- (A) Protecting the state's ability to retain public ownership of assets constructed or managed under a public-private partnership contract;
- (B) Allowing for the most transparency during the negotiation of terms of a public-private partnership agreement; and
- (C) Addressing the state's ability to oversee the private entity's management of the asset.

(ii)(A) The work group must identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers.

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(B) The work group may also evaluate public-private partnership opportunities for required fish passage and culvert work on state highways, for the construction of, replacement of, or commercial retail options within Washington state ferries' terminals, and for other projects as determined by the work group.

(iii) The work group must update the 2012 recommendations and devise an implementation plan for the state.

(d) The work group must submit a preliminary report, including any recommendations or draft legislation, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report with draft legislation to the office of the governor and the transportation committees of the legislature by July 1, 2024.

~~((4))~~ (3) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the municipal research and services center to convene a department of transportation-local government partnership work group to create a procedure in which the department of transportation can partner with a local jurisdiction to perform preservation and maintenance and construct projects on state highways.

(a) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a public port;

(vi) A representative from the county road administration board;

(vii) A representative of the transportation improvement board;

(viii) At least one representative from the department of transportation's local programs division;

(ix) At least two representatives from the department of transportation with expertise in procurement and legal services; and

(x) At least one member from the house of representatives transportation committee and at least one member from the senate transportation committee.

(b) Of the members described in (a) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(c) The work group must make recommendations of how the department of transportation could better work in partnership with local jurisdictions to ensure that roadway construction projects can be performed when funds are made available in the omnibus transportation appropriations act even if the department of transportation does not have the capacity to be the project manager on a project and a local jurisdiction is ready, willing, and able to implement the project within the time frames envisioned in the omnibus transportation appropriations act. In developing its recommendations, the work group must consider, at a minimum:

(i) Differing roadway and construction standards between state and local agencies;

(ii) Revenue, reimbursement, and financial agreements between state and local agencies;

(iii) Differing procurement processes between state and local agencies;

(iv) Liability; and

(v) Other issues as determined by the work group.

(d) The work group must submit a preliminary report, including any recommendations, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by July 1, 2024.

~~((5))~~ (4)(a) \$2,000,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee:

(i) The design of an infrastructure and incentive strategy to drive the purchase and use of zero emission medium and heavy duty vehicles, as well as cargo handling and off-road equipment, in the state including, but not limited to, programs for tractor trucks, box trucks, drayage trucks, refuse trucks, step and panel vans, heavy and medium-duty buses, school buses, on and off-road terminal tractors, transport refrigeration units, forklifts, container handling equipment, airport cargo loaders, and railcar movers; and

(ii) A review of the passenger vehicle tax incentive in current law and evaluation of its utility, to include possible modification of the criteria for eligibility and tax incentive amount maximums, as applicable.

(b) Design development must include recommendations for encouraging vehicle conversions for smaller commercial vehicle fleets and owner-operators of commercial vehicles, as well as tools for facilitating carbon emission reductions to benefit vulnerable populations and overburdened communities. Infrastructure and incentive programs recommended may include, but are not limited to, grant, rebate, tax incentive, and financing assistance programs.

(c) Consultation with legislative members identified by the chair and ranking members of the transportation committees of the legislature throughout design of the infrastructure and incentive strategy is required. A report is due to the transportation committees of the legislature by January 2, 2024.

~~((6))~~ (5) \$125,000 of the motor vehicle account—state appropriation and \$125,000 of the multimodal transportation account—state appropriation are for the joint transportation committee to evaluate potential options and make recommendations for a statewide household travel survey and additional analytical capacity regarding transportation research.

(a) The recommendation on the statewide household travel survey must be based on how well a statewide survey investment would: Address policy questions related to household travel; address gaps between separate regional and local transportation models; and create a dataset to allow both for analysis and response to policymakers' questions relating to household travel and for transportation modeling and development. In evaluating potential survey options, the committee shall consider opportunities for the state to partner and expand on developed established household travel surveys, including surveys conducted at both the Puget Sound regional council and the federal highway administration. In its recommendation, the committee shall outline the process required for a statewide survey, including the costs and timing of each option.

(b) The committee shall recommend an agency or agencies to perform ongoing analysis of a statewide household travel survey and other transportation research. The committee shall consider the ability of an agency or agencies to meet shorter timeline policy needs, as well as longer timeline research projects. The

recommendation must include the timing and costs associated with the development of such analytical capacity.

~~((7))~~ (6) \$1,000,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee the development of tools and methodologies to assist in program delivery evaluation for programs that receive appropriations from the carbon emissions reduction account. Program delivery evaluation must include carbon emissions reduction estimates by program and by unit of time, program cost per unit of emission reduction, quantified benefits to vulnerable populations and overburdened communities by program cost, any additional appropriate qualitative and quantitative metrics, and actionable recommendations for improvements in program delivery. A report is due to the transportation committees of the legislature by October 1, 2024.

~~((8))~~ (7) \$500,000 of the motor vehicle account—state appropriation is for the joint transportation committee to engage an independent review team to work in coordination with the Washington state department of transportation's analysis, funded in section 217~~((11) of this act)~~ (10), chapter 472, Laws of 2023, of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail.

(a) The department shall include the independent review team in all phases of the analysis to enable the team to develop an independent assessment of the analysis, assumptions, stakeholder engagement, and cost and impact estimates. Summary findings from the independent assessment must be provided to the department, the governor's office, and the transportation committees of the legislature on a quarterly basis, with ~~((a final))~~ an end of biennium report due to the governor and the transportation committees of the legislature by June 30, 2025.

(b) The independent review team must conduct an independent stakeholder engagement effort. The river transportation work group must be formed to provide data and guidance to the independent review team for the independent stakeholder engagement effort. The river transportation work group must be made up of stakeholders, including farming and agricultural production, ~~((federally recognized tribes and))~~ fishing industry, tug and barge operators, shippers and receivers, public ports, railroad operators, cruise lines, the federal highway administration, and the army corps of engineers. Consultations with federally recognized tribes must also occur in coordination with the Washington state department of transportation.

(c) The independent review team shall make regular presentations to the joint transportation committee and, by request, to the transportation committees of the legislature.

~~((9))~~ (8) The joint transportation committee shall also convene a work group that includes, but is not limited to, the executive committee of the joint transportation committee, the office of financial management, the Washington state department of transportation, and the Washington state treasurer's office to develop recommendations, by October 15, 2023, to meet the challenge of identifying an achievable delivery schedule for completing transportation projects across the state.

(9) \$300,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to review the composition of boards of Washington transit agencies. As part of the assessment, the review must survey current governance structures identifying unique or innovative models, and best practices currently being deployed. Working with agencies and key stakeholders, the study must develop a list of options for transit agencies to consider for increasing representation or

engagement from transit riders, labor, and other underrepresented community groups identified through the process. A report of preliminary findings must be submitted to the transportation committees of the legislature by December 15, 2024. A final report is due to the transportation committees of the legislature by June 30, 2025, including any recommended revisions to current statutes that are necessary to implement any identified options.

(10)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct a study and make recommendations on alternative project delivery methods that may be used by the Washington state department of transportation in public works contracting. The study must review use of design-build, design-bid-build, progressive design build, general contractor/construction manager, public-private partnerships, and other contracting methods, and how choice of project delivery method impacts cost, contract competition, and project delivery schedule. The study must also include recommendations on any changes to current practices and statutory requirements.

(b) In developing project delivery method recommendations, the joint transportation committee must engage with industry stakeholders including, but not limited to, engineering, contracting, and women and minority-owned business communities.

(c) To assist the department as it continues to make progress on meeting the requirements of the federal *U.S. v. Washington* court injunction and to address estimated programmatic cost increases, and within the funding provided in this subsection, the department shall analyze contracting methods, alternative bundling concepts, and other options to manage costs.

(d) A preliminary report is due to the office of the governor and the transportation committees of the legislature by December 15, 2024. A final report is due to the office of the governor and the transportation committees of the legislature by June 30, 2025.

(11)(a) \$300,000 of the motor vehicle account—state appropriation is to conduct a study and make recommendations on opportunities for streamlining current Washington state department of transportation project permitting practices to accelerate project delivery. The study should:

(i) Identify the types of permits required for projects by local, state, and federal agencies for various project types across the state;

(ii) Conduct a case study of at least six recently completed projects that are geographically distributed across the state, and a mix of projects that were either completed in a timely manner or faced delays; and

(iii) Review and recommend practices for streamlining the permitting processes with local, state, and federal agencies that would result in accelerating project delivery.

(b) A preliminary report is due to the transportation committees of the legislature by December 15, 2024. A final report is due to transportation committees of the legislature by June 30, 2025.

(12)(a) \$300,000 of the motor vehicle account—state appropriation is to conduct a study and make recommendations on opportunities for innovative project delivery practices that could be utilized to accelerate project delivery. The study should evaluate practices utilized around the country and evaluate Washington state-specific possibilities such as:

(i) Increased use of the advanced environmental mitigation revolving account and advance right-of-way revolving fund as cost containment strategies; and

(ii) Benefits and costs associated with bundling bridge, culvert, or other groups of projects into single procurement packages.

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(b) A preliminary report is due to the transportation committees of the legislature by December 15, 2024. A final report is due to transportation committees of the legislature by June 30, 2025.

(13) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract for a staffing and performance review and audit of the field operations bureau of the Washington state patrol.

(a) The contractor must be assisted by, consult with, and seek guidance from the Washington state patrol as the contractor deems appropriate to conduct its work. The contractor must review relevant previous recommendations made by the joint legislative and audit review committee and evaluate compliance and improvements made from those prior recommendations.

(b) The fact finding phase of the work may include a review of and findings on: (i) The field operations bureau staffing levels to meet the current traffic safety needs statewide and by regions; (ii) whether the proportion of the agency's budget dedicated to the field operations bureau to meet its core traffic safety functions are proportionally weighed against its nonfield operations bureau needs and funding level; (iii) whether the agency's current staffing deployment or allocation methods are being driven by need based on speeding violations, driving under the influence behaviors, collisions, car accidents, reckless driving, and other appropriate metrics; (iv) methods and documentation used in evaluating trooper and field operation bureau productivity; (v) the agency's policy and procedure manuals in comparison to state law enforcement agency best practices and current standards; and (vi) whether the agency is using the most effective use of its available tools to reduce turnover, maximize new cadet and lateral recruitment, and achieve full field operations bureau authorized staffing levels.

(c) The contractor must conduct its own independent review and develop recommendations on staffing levels for the field operations bureau, trooper staffing allocation informed by the appropriate metrics, response availability for priority calls, overall response time, performance measures that are related to outputs or outcomes that can be affected by the agency, and the necessary ongoing reporting and monitoring of those performance measures targeted at traffic safety.

(d) The contractor must provide at least two presentations to the joint transportation committee before presenting its final report and recommendations by December 1, 2025.

(14)(a) \$375,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the municipal research and services center to convene a project delivery streamlining work group to review streamlining options and recommend practices that support expedited project delivery.

(b) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a transit agency serving a rural county;

(vi) At least one representative of a transit agency serving an urban county;

(vii) At least one representative of a regional transit authority;

(viii) At least one representative of a public port;

(ix) A representative from the county road administration board;

(x) A representative of the transportation improvement board;

(xi) At least one representative from the department of transportation's local programs division with experience in federal funding oversight; and

(xii) At least two representatives from the department of transportation with expertise in procurement and the multiagency permit program.

(c) Of the members described in (b) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(d) The work group must review options for project streamlining to expedite project delivery that include, but are not limited to: Preapplication communication; partnership agreements; contracting processes; fund sources; mitigation; land use; rights-of-way; permitting; and shared technology; and must identify opportunities for pilot projects to test some of these recommendations.

(e) The work group must submit a preliminary report to the office of the governor and the transportation committees of the legislature by December 15, 2024. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by June 30, 2025.

Sec. 205. 2023 c 472 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation	(\$3,029,000)
	\$3,039,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$150,000
Multimodal Transportation Account—State Appropriation	\$200,000
State Route Number 520 Corridor Account—State Appropriation	(\$288,000)
	\$413,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$179,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$167,000
TOTAL APPROPRIATION	(\$4,013,000)
	\$4,148,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$125,000 of the multimodal transportation account—state appropriation and \$125,000 of the motor vehicle account—state appropriation are provided solely for the commission to update the statewide transportation plan required under RCW 47.01.071(4). The update process must be informed by guidance from a steering committee comprised of the commission, the joint transportation committee's executive committee, the governor's office, the secretary of the department of transportation, and representatives of metropolitan and regional transportation planning organizations. As part of the update process, the commission shall undertake specific actions in the following order:

(a) Conduct stakeholder outreach, gathering input, and framing the outreach around the current plan's policy construct and high level priorities, the 2022 transportation revenue package, and recently enacted significant policy legislation;

(b) Report outreach findings and results to the joint transportation committee for review and input;

(c) Restructure the plan to (i) primarily focus on high level policy priorities within the six transportation policy goals under RCW 47.04.280 and (ii) align policies, strategies, and objectives with the interests of stakeholders and legislators;

(d) Gather further input from stakeholders and the joint transportation committee on the restructured plan's format and content; and

(e) Finalize the updated plan, based upon input from stakeholders and the joint transportation committee.

(2) The legislature finds that the current balance of and projected revenues into the Alaskan Way viaduct replacement project account are sufficient to meet financial obligations during fiscal years 2024 and 2025.

(3) Within the parameters established under RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission shall consider adjusting maximum toll rates, minimum toll rates, and time-of-day rates, and restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue. The commission is encouraged to make any adjustments to toll rates in coordination with the planned expansion of express toll lanes between the cities of Renton and Bellevue.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the commission to conduct a route jurisdiction study aimed at assessing the current state highway inventory and local roadway designations to determine if changes are needed in jurisdictional assignment between the state, county, and city road systems. The study must also review current criteria used to define the state highway system to determine if such criteria continue to be applicable. The commission shall submit a report of study findings and recommendations to the transportation committees of the legislature by July 1, 2025.

(5) The commission may coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements. The commission must provide draft applications for federal grant opportunities to the chairs and ranking members of the transportation committees of the legislature for review and comment prior to submission.

(6) The transportation commission shall conduct an assessment aimed at identifying approaches to streamlining the current rule-making process for setting toll rates and policies for eligible toll facilities, while maintaining public access and providing opportunities to provide input on proposals. The intent of the assessment is to identify rule-making approaches that support the state's ability to set toll rates and policies in a timely and efficient manner, so that the state can meet anticipated funding obligations. This assessment should include a review of rate-setting processes used by toll authorities in other states. The transportation commission shall provide recommendations to the transportation committees of the legislature by July 31, 2024.

(7) The commission shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding the mutual or joint setting, adjustment, and review of toll rates and exemptions. Prior to finalizing any such agreement, the commission shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the commission shall advise on the status of any bistate agreements to the joint transportation committee

beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(8) \$200,000 of the motor vehicle account—state appropriation is provided solely for the commission to carry out a study assessing approaches to increasing safety and compliance of high occupancy vehicle lanes, express toll lanes, tolled facilities, and construction zones, facilitated by advanced technologies.

(a) The approaches assessed must, at a minimum, focus on advanced roadside technologies that: Are able to operate independently without connection to the department of transportation's existing communication systems and utilities; have a limited physical footprint that does not use over-roadway infrastructure; and have a 95 percent or greater license plate reading accuracy.

(b) The study must review current laws, including assessing underlying policies related to prohibitions on program cost coverage coming from infraction or other revenues generated by advanced technology systems, and identify provisions needed to enable a future technology-based safety and compliance program.

(c) The commission shall submit an interim report to the transportation committees of the legislature by January 10, 2024, that, at a minimum, provides an initial assessment of the viability of deploying a system into operation. A final report of findings and recommendations must be submitted to the transportation committees of the legislature by June 30, 2024.

(9) \$75,000 of the multimodal transportation account—state appropriation is provided solely for the commission to carry out an initial assessment and scoping effort to determine the feasibility of creating a future west coast transportation network plan. This plan would serve to proactively identify and coordinate improvements and investments across the west coast states to freight rail, passenger rail, highways, and air transportation. The intent for the plan is to leverage and align west coast efforts to reduce our collective carbon footprint, improve freight and passenger mobility, and strengthen west coast resiliency. This effort must be carried out in partnership with the Oregon and California transportation commissions and the state department of transportation from each state, and must consider, but not be limited to:

(a) Current state activities, investments, and plans that support the establishment of clean transportation in the air, on the highways, and on rail lines moving freight and passengers;

(b) Currently identified resiliency risks along the west coast and existing strategic plans and investments that could inform a future west coast unified plan; and

(c) Incorporation of work from the statewide transportation policy plan.

(10) \$125,000 of the state route number 520 corridor account—state appropriation is provided solely for the commission, in consultation with the department of transportation, to initiate a public outreach campaign regarding the potential for implementing segment tolling on the state route number 520 corridor. By July 1, 2025, the commission shall submit a status report to the transportation committees of the legislature regarding the outreach.

Sec. 206. 2023 c 472 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Multimodal Transportation Account—State Appropriation \$400,000

Freight Mobility Investment Account—State Appropriation ((~~\$1,591,000~~))

\$1,596,000

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TOTAL APPROPRIATION	((\$1,991,000))
	<u>\$1,996,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

(2) The board shall on an annual basis provide a status update on project delivery, including information on project timeline, cost, and budgeted cash flow over time to the office of financial management and the transportation committees of the legislature on the delivery of the freight mobility strategic investment projects on LEAP Transportation Document ((~~2023-2~~)) 2024-2 ALL PROJECTS, as developed on ((~~April 21, 2023~~)) February 20, 2024.

(3) \$731,000 of the freight mobility investment account—state appropriation is provided solely for the implementation of chapter 167, Laws of 2023 (freight mobility priorities). If chapter 167, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(4) \$400,000 of the multimodal transportation account—state appropriation is provided solely for the board, in consultation with the department of transportation, to develop an implementation plan for specific truck parking solutions. It is the intent of the legislature for the board to identify specific sites to increase truck parking capacity in the near term, as well as to recommend other steps that can be taken in the 2024 and 2025 legislative sessions to increase truck parking capacity. The board must provide a status report that includes funding recommendations for the 2024 legislative session to the transportation committees of the legislature by December 1, 2023, and a final report that includes detailed findings on additional specific sites and specific actions recommended to expand truck parking capacity in the near term to the transportation committees of the legislature by December 1, 2024.

Sec. 207. 2023 c 472 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$43,000
State Patrol Highway Account—State Appropriation	((\$610,711,000))
	<u>\$626,400,000</u>
State Patrol Highway Account—Federal Appropriation	((\$20,340,000))
	<u>\$19,359,000</u>
State Patrol Highway Account—Private/Local Appropriation	\$4,594,000
Highway Safety Account—State Appropriation	((\$1,447,000))
	<u>\$1,736,000</u>
Ignition Interlock Device Revolving Account—State Appropriation	((\$1,959,000))
	<u>\$2,209,000</u>
Multimodal Transportation Account—State Appropriation	\$316,000
State Route Number 520 Corridor Account—State Appropriation	\$89,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$275,000

I-405 and SR 167 Express Toll Lanes Account—State Appropriation	\$2,895,000
TOTAL APPROPRIATION	((\$642,669,000))
	<u>\$657,916,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2023, and semiannually thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2023, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2023, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 ((~~of this act~~)), chapter 472, Laws of 2023.

(2) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(3)(a) By December 1st of each year during the 2023-2025 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;
- (iv) The composition of workforce;
- (v) Other relevant outcome measures with comparative information with recent comparable months in prior years; and

(vi) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach, and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(b) During the 2023-2025 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process. Prior to the 2024 legislative session, the office of financial management, with assistance of the Washington state patrol, must also provide comparison information regarding recruitment bonus amounts currently being offered by local law enforcement agencies in the state.

(4)(a) \$6,575,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other related activities.

(b) Beginning January 1, 2024, the Washington state patrol must report semiannually to the office of the chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six-month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the chief information officer, the report must be transmitted to the office of financial management and the transportation committees of the legislature.

~~((6))~~ (5) \$2,688,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program, a community engagement program to improve relationships with historically underrepresented communities and to recruit and retain a diverse workforce, and contracting with an external psychologist to perform exams. The state patrol will work with the governor's office of equity and meet all reporting requirements and responsibilities pursuant to RCW 43.06D.060. Funds provided for the community engagement program must ensure engagement with communities throughout the state.

~~((7))~~ (6)(a) \$10,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to administer a pilot program that implements a yellow alert system notifying the public when a hit-and-run accident resulting in a fatality or substantial bodily harm has occurred and been reported to the state patrol or other local law enforcement entity. The Washington state patrol must post on traffic message boards or share on public communication systems any identifying information acquired including, but not limited to, a complete or partial license plate number or a description of the vehicle. Each alert must be posted or shared as such for at least 24 hours.

(b) The Washington state patrol must report the following to the transportation committees of the legislature annually until June 30, 2025:

- (i) The number of yellow alerts received;
- (ii) The number of arrests made from accidents reported on the yellow alert system;
- (iii) The number of hit-and-run accidents resulting in a fatality or substantial bodily harm statewide;
- (iv) The number of arrests made from accidents described under (b)(iii) of this subsection; and
- (v) The number of hit-and-run accidents reported statewide.

(c) The Washington state patrol must also report on the efficacy of the program and recommend in its final report if the pilot program should continue or be enacted on a permanent basis and implemented statewide, based on the results of the report.

~~((8))~~ (7)(a) ~~(\$2,608,000)~~ \$2,243,000 of the state patrol highway account—state appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2023-2025 fiscal biennium. The legislature is committed to continuing the state trooper expedited recruitment incentive program until the vacancy levels are significantly reduced from current levels. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program established by the Washington state patrol must include:

- (i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires,

including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual.

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$5,000 for each cadet after completion of the Washington state patrol academy;

(B) \$5,000 for each successful graduating cadet after completion of a one-year probation period;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditure on the state trooper expedited recruitment incentive program is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

~~((9))~~ (8) \$3,896,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((10))~~ (9) \$500,000 of the state patrol highway account—state appropriation is provided solely for bonuses and other recruitment and retention-related compensation adjustments for communication officers and other noncommissioned staff of the Washington state patrol who are covered by a collective bargaining agreement. Funding in this subsection must first be used for targeted adjustments for communication officers. Remaining amounts may be used for compensation adjustments for other noncommissioned staff. Funding provided in this subsection is contingent upon the governor or the governor's designee reaching an appropriate memorandum of understanding with the exclusive bargaining representative. Agreements reached for compensation adjustments under this section may not exceed the amounts provided. If any agreement or combination of agreements exceed the amount provided in this subsection, all the agreements are subject to the requirements of RCW 41.80.010(3).

~~((11) \$4,732,000)~~ (10) \$3,226,000 of the state patrol highway account—state appropriation is provided solely for two accelerated training programs for lateral hires. It is the intent of the legislature that the second accelerated training program for lateral hires offered in fiscal year 2025 achieves at least 40 qualified graduates based on the Washington state patrol aggressively recruiting, advertising bonus policies, and taking other steps to achieve this outcome.

~~((12))~~ (11) \$98,000 of the state patrol highway account—state appropriation is provided solely for the implementation of

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chapter 26, Laws of 2023 (nonconviction data). If chapter 26, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((43))~~ (12) \$76,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((44))~~ (13) \$107,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 462, Laws of 2023 (domestic violence). If chapter 462, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((45))~~ (14) By December 1, 2024, the Washington state patrol must provide a report to the governor and appropriate committees of the legislature on the status of *McClain v. Washington State Patrol* and an update on legal expenses associated with the case.

~~((46))~~ (15) \$32,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(16) \$5,905,000 of the state patrol highway account—state appropriation is provided solely for a third arming and third trooper basic training class. The cadet class is expected to graduate in June 2025.

(17) \$1,905,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to implement the provisions of the settlement agreement under *Washington State Patrol Troopers Association v. Washington State Patrol*, Public Employment Relations Commission Case No. 134557-U-21.

(18) \$2,307,000 of the state patrol highway account—state appropriation is provided solely for the migration of the agency's active directory into the state enterprise active directory.

(19) \$250,000 of the state patrol highway account—state appropriation is provided solely to expand the activities of the license investigation unit to King county on a pilot basis beyond the unit's current activities in southwestern Washington. By February 15, 2025, the Washington state patrol must provide a status report on the pilot implementation.

(20) \$2,222,000 of the state patrol highway account—state appropriation is provided solely for replacing one aging Cessna aircraft. This funding was provided in the 2023-2025 omnibus transportation appropriations act. It is the intent of the legislature to fund an additional Cessna replacement without financing the acquisition as soon as the aircraft can be received in the 2025-2027 fiscal biennium, and therefore, the Washington state patrol may take the necessary steps to ensure delivery of the aircraft as soon as possible in the 2025-2027 fiscal biennium.

(21) \$300,000 of the state patrol highway account—state appropriation is provided solely for individual gun safes for troopers and other staff to allow the safe storage of firearms used in the performance of their duties.

(22) \$35,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6146), Laws of 2024 (tribal warrants). If chapter . . . (Substitute Senate Bill No. 6146), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(23) \$250,000 of the ignition interlock device revolving account—state appropriation is provided solely to improve compliance with ignition interlock device requirements associated with impaired driving offenses. By June 30, 2025, the Washington state patrol must provide a report detailing the staff

hired, the activities undertaken, and outcome information associated with improving ignition interlock device compliance rates.

Sec. 208. 2023 c 472 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Driver Licensing Technology Support Account—State Appropriation	\$1,743,000
Marine Fuel Tax Refund Account—State Appropriation	\$34,000
Motorcycle Safety Education Account—State Appropriation	(\$5,299,000)
	<u>\$5,321,000</u>
Limited Fish and Wildlife Account—State Appropriation	(\$765,000)
	<u>\$769,000</u>
Highway Safety Account—State Appropriation	(\$277,256,000)
	<u>\$282,392,000</u>
Highway Safety Account—Federal Appropriation	\$2,371,000
Motor Vehicle Account—State Appropriation	(\$98,824,000)
	<u>\$101,981,000</u>
Motor Vehicle Account—Private/Local Appropriation	\$1,336,000
Ignition Interlock Device Revolving Account—State Appropriation	(\$6,401,000)
	<u>\$6,417,000</u>
Department of Licensing Services Account—State Appropriation	(\$8,972,000)
	<u>\$9,128,000</u>
License Plate Technology Account—State Appropriation	(\$4,204,000)
	<u>\$4,657,000</u>
Abandoned Recreational Vehicle Account—State Appropriation	\$3,091,000
Limousine Carriers Account—State Appropriation	\$126,000
Electric Vehicle Account—State Appropriation	\$443,000
DOL Technology Improvement & Data Management Account—State Appropriation	\$944,000
Agency Financial Transaction Account—State Appropriation	\$16,998,000
Move Ahead WA Flexible Account—State Appropriation	\$2,096,000
TOTAL APPROPRIATION	(\$430,903,000)
	<u>\$439,847,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing driver's license support. In addition to support services required under RCW 74.13.338(2), support services may include reimbursement of:

(a) The cost for a youth in foster care of any eligible age to complete a driver training education course, as outlined in chapter 46.82 or 28A.220 RCW;

(b) The costs incurred by foster youth in foster care for a motor vehicle insurance policy;

(c) The costs of roadside assistance, motor vehicle insurance deductibles, motor vehicle registration fees, towing services, car maintenance, comprehensive car insurance, and gas cards; and

(d) Any other costs related to obtaining a driver's license and driving legally and safely.

(2) \$150,000 of the highway safety account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a mobile application for driver licensing. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by December 1, 2024. The study must:

(a) Review the adoption actions in other states, including successes and lessons learned;

(b) Examine existing technical infrastructure and potential changes needed to maximize interoperability, utility, and privacy protection;

(c) Identify the technical investments and other costs associated with issuing digital drivers' licenses through a mobile application;

(d) Identify how the technology may impact and can be used by external stakeholders, such as law enforcement;

(e) Recommend any process changes required to implement the program successfully and ensure customer satisfaction; and

(f) Recommend any statutory changes required to allow for the usage of digital drivers' licenses, including recognition of interstate travelers.

(3)(a) \$350,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, the department of health, the elder law section of the Washington state bar association, organizations representing older drivers, and driver rehabilitation specialists, to develop a comprehensive plan aimed at improving older driver safety. The department must submit a report on the comprehensive plan to the governor and the transportation committees of the legislature by December 1, 2024. The plan must include, but is not limited to:

(i) A comprehensive review of department policies surrounding older drivers and medically at-risk drivers, including:

(A) The medical assessment review process; and

(B) The counter assessment process in licensing service offices;

(ii) A feasibility analysis of the department establishing a medical advisory board to advise on general policy for at-risk drivers, driving privileges for individual medically at-risk drivers, and an appeals process for drivers whose privileges are revoked or restricted due to medical conditions;

(iii) A recommended assessment tool to determine a driver's potential risk to themselves or others when operating a motor vehicle so the department may make informed decisions on appropriate courses of action within the older driver program; and

(iv) Detailed information on how each component of the plan improves the safety associated with older drivers, while preserving the maximum level of older driver independence and privacy;

(b) The department may also use funds provided in this subsection to implement improvements to older driver traffic safety within existing authority.

(4) \$5,499,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade and improve its prorate and fuel tax system, and is subject to the conditions, limitations, and review requirements of section 701 (~~(of this act)~~), chapter 472, Laws of 2023. In each phase of the project, the department must ensure and document the increase in business capabilities and customer service outcomes, the improvements in fuel tax collection related information designed to resolve historical discrepancies in reporting information, and how the implementation plan mitigates risks associated with the proposed timeline and results in the sustainability of systems and platforms for the future. Before initiating the implementation

phase of the project, the department must report to the office of the chief information officer on how the project meets its FAST act modernization roadmap, and vendor management and resource plans.

(5) \$16,000 of the motorcycle safety education account—state appropriation, \$2,000 of the limited fish and wildlife account—state appropriation, \$947,000 of the highway safety account—state appropriation, \$308,000 of the motor vehicle account—state appropriation, \$14,000 of the ignition interlock device revolving account—state appropriation, and \$14,000 of the department of licensing services account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements in section 701 (~~(of this act)~~), chapter 472, Laws of 2023.

(6) The department shall report on a quarterly basis on licensing service office operations, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2024, the department must prepare a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the implementation of statutory and policy changes made during the pandemic.

(7) For the 2023-2025 fiscal biennium, the department shall charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(8) \$742,000 of the motor vehicle account—state appropriation is provided solely for the increased costs associated with improvements desired to resolve delays in the production of license plates, including converting all subagents to the standard ordering process as recommended in the December 2022 plate inventory report, and to provide updated annual reports detailing changes in license plate production, inventory, and other practices taken to guard against plate production delays. The reports must be submitted to the governor and the transportation committees of the legislature by December 1, 2023, and December 1, 2024.

(9) \$243,000 of the highway safety account—state appropriation is provided solely for the department to continue to provide written materials on, place signage in licensing service offices regarding, and include into new driver training curricula, the requirements of RCW 46.61.212, the slow down and move over law.

~~((+))~~ (10) \$3,082,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2023-2025 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

~~((+))~~ (11) \$1,077,000 of the highway safety account—federal appropriation is provided solely for implementation of chapter 35, Laws of 2023 (CDL drug and alcohol clearinghouse)

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~~((or chapter . . . (House Bill No. 1448), Laws of 2023 (CDL drug and alcohol clearinghouse))). If ((neither)) chapter 35, Laws of 2023 ((or chapter . . . (House Bill No. 1448), Laws of 2023 are)) is not enacted by June 30, 2023, the amount provided in this subsection lapses.~~

~~((13)) (12)~~ \$116,000 of the highway safety account—state appropriation is provided solely for implementation of ~~((chapter . . . (Senate Bill No. 5251), Laws of 2023 (streamlining CDL issuance) or))~~ chapter 57, Laws of 2023 (streamlining CDL issuance). If ~~((neither chapter . . . (Senate Bill No. 5251), Laws of 2023 or))~~ chapter 57, Laws of 2023 ~~((are))~~ is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((14)) (13)~~ \$845,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 445, Laws of 2023 (improving young driver safety). If chapter 445, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((15)) (14)~~ \$180,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 440, Laws of 2023 (open motor vehicle safety recalls). If chapter 440, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((16)) (15)~~ \$497,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 466, Laws of 2023 (updating processes related to voter registration). If chapter 466, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((17)) (16)~~ \$29,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 118, Laws of 2023 (driver's abstract changes). If chapter 118, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((18)) (17)~~ \$47,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 453, Laws of 2023 (competency evaluations). If chapter 453, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((19)) (18)~~ \$23,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((20)) (19)~~ \$155,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 316, Laws of 2023 (jury diversity). If chapter 316, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((21)) (20)(a)~~ \$36,000 of the motor vehicle account—state appropriation is provided solely for the issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 217(2) ~~((of this act)), chapter 472, Laws of 2023. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.~~

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire

nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal biennium.

(c) For the exemption in this subsection to apply to a for hire nonemergency medical transportation vehicle, the decal:

(i) Must be displayed on the vehicle so that it is clearly visible from outside the vehicle;

(ii) Must identify that the vehicle is exempt from the high occupancy vehicle requirements; and

(iii) Must be visible from the rear of the vehicle.

(d) The owner of a for hire nonemergency medical transportation vehicle or the owner's representative must apply for a high occupancy vehicle exempt decal on a form provided or approved by the department. The application must include:

(i) The name and address of the person who is the owner of the vehicle;

(ii) A full description of the vehicle, including its make, model, year, and the vehicle identification number;

(iii) The purpose for which the vehicle is principally used;

(iv) An attestation signed by the vehicle's owner or the owner's representative that the vehicle's owner has a minimum of one contract or service agreement to provide for hire transportation services for medical purposes with one or more of the following entities: A health insurance company; a hospital, clinic, dialysis center, or other medical institution; a day care center, retirement home, or group home; a federal, state, or local agency or jurisdiction; or a broker who negotiates these services on behalf of one or more of these entities; and

(v) Other information as required by the department upon application.

(e) The department, county auditor or other agent, or subagent appointed by the director shall collect the fee required under (f) of this subsection when issuing or renewing a high occupancy vehicle exempt decal.

(f) The department, county auditor or other agent, or subagent must collect a \$5 fee when issuing or renewing a decal under this subsection, in addition to any other fees and taxes required by law.

(g) A high occupancy vehicle exempt decal expires June 30, 2025, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 217(2) ~~((of this act)), chapter 472, Laws of 2023~~ is terminated.

(h) The department may adopt rules to implement this subsection.

~~((22)) (21)(a)~~ \$265,000 of the highway safety account—state appropriation is provided solely for the department to provide an interagency transfer to the Washington center for deaf and hard of hearing youth, in consultation with the department and the office of the superintendent of public instruction, to fund the cost of interpreters for driver training education for deaf and hard of hearing youth to enable them to access driver training education at the same cost as their peers, and to pilot a sustainable driver training education program to determine how best to meet the driver training education needs of deaf and hard of hearing youth in the state in the future. The pilot must include:

(i) Determination of an appropriate number of instructors and an appropriate method of certification for instructors who are fluent in American Sign Language (ASL);

(ii) Determination of how best to provide driver training education statewide to deaf and hard of hearing novice drivers;

(iii) Development of a program to offer the required curriculum under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

(iv) Capped course instruction costs for deaf and hard of hearing students at the average rate of their hearing peers.

(b) The department shall submit a report to the transportation committees of the legislature developed by the Washington center for deaf and hard of hearing youth by March 1, 2024, that provides recommendations for a permanent program to make driver education equitably accessible for deaf and hard of hearing students.

~~((26))~~ (22) \$350,000 of the highway safety account—state appropriation is provided solely for the department to improve the process for commercial driver's license (CDL) holders to submit medical certification documents and update self-certification status to the department. The department shall:

(a) Update license express to improve the process and make it more user friendly;

(b) Add options for the driver to renew or replace the driver's CDL credentials as part of the medical or self-certification process;

(c) Add a customer verification step confirming the requested changes and clearly stating how this change will impact the driver's CDL; and

(d) Add improved messaging throughout the process.

In addition, the department shall make available on the driving record abstract a complete medical certificate downgrade history, and provide a one-time mailing to all current CDL holders explaining the process to update their medical certificate documents and self-certification.

~~((27))~~ (23) \$1,962,000 of the highway safety account—state appropriation is provided solely for the establishment of a pilot mobile licensing unit to provide licensing and identicaid services. By December 1, 2024, the department must submit a report to the governor and the transportation committees of the legislature detailing the locations served, the number and type of documents issued, and other outcome measures associated with the mobile licensing unit. The report must include consideration of the facility needs of licensing service offices in the context of flexible mobile licensing services.

~~((28) \$2,000,000)~~ (24) \$2,500,000 of the highway safety account—state appropriation is provided solely for driver's license assistance and support services in King county with an existing provider that is already providing these services to low-income immigrant and refugee women, and for additional contracts in fiscal year 2025 with organizations providing driver's license assistance and other related support services in other parts of the state. By December 1st of each year, the department must submit information on the contracted ~~((provider))~~ providers, including: The annual budget of the contracted ~~((provider))~~ providers in the preceding year; information regarding private and other governmental support for the activities of the ~~((provider))~~ providers; and a description of the number of people served, services delivered, and outcome measures. In developing its 2025-2027 biennial budget submittal, the department, after consulting with the existing provider in King county and organizations receiving funds within the fiscal year 2025 expansion, must develop a statewide delivery plan that maximizes the number of people served, promotes efficiency in service delivery, and recognizes different models based on needs in particular areas of the state.

~~((30))~~ (25) \$8,000 of the motorcycle safety education account—state appropriation is provided solely for the implementation of chapter 137, Laws of 2023 (motorcycle safety

board). If chapter 137, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((32))~~ (26) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 431, Laws of 2023 (transportation resources). If chapter 431, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((34))~~ (27) \$282,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(28) \$4,464,000 of the highway safety account—state appropriation is provided solely for costs associated with relocating licensing service offices during the 2023-2025 fiscal biennium. This includes \$2,790,000 provided for relocations in the 2023-2025 omnibus transportation appropriations act. By June 30th of each year, the department must submit a status report on licensing service offices planned for relocation during the 2023-2025 fiscal biennium.

(29) \$1,564,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 (enhancing prorate and fuel tax collections). If chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(30) \$100,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5800), Laws of 2024 (improving access to department of licensing issued documents). If chapter . . . (Senate Bill No. 5800), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(31) \$294,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Senate Bill No. 5032), Laws of 2024 (impaired driving). If chapter . . . (Engrossed Senate Bill No. 5032), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(32) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a process for the electronic submittal of title and registration documents for motor vehicles, within the current vehicle licensing model. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by September 1, 2025. The study must: (a) Review the current processes in Washington and other states, including how such processes addressed fraud prevention and document security; (b) examine existing technical infrastructure and potential changes needed to allow for completion and submittal of lien and titling documents by financial institutions and vehicle dealers to vehicle licensing offices and the department of licensing, while maximizing interoperability, utility, data security, and customer privacy; (c) identify the technical investments and other costs associated with the submission of electronic documents by financial institutions and vehicle dealers to vehicle licensing offices and the department of licensing; (d) recommend any statutory changes required to allow for the submission of electronic documentation to vehicle licensing offices; and (e) examine the impact of these technology changes on external stakeholders including, but not limited to, vehicle licensing offices, financial institutions, vehicle dealers, and insurance companies.

(33) \$8,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—

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state appropriation, \$572,000 of the highway safety account—state appropriation, \$193,000 of the motor vehicle account—state appropriation, \$7,000 of the ignition interlock device revolving account—state appropriation, and \$9,000 of the department of licensing services account—state appropriation are provided solely for the department for additional finance and budget staff. By December 1, 2024, the department shall submit a report to the governor and appropriate committees of the legislature on the specific steps the department has taken to address the findings of the state auditor's office fiscal year 2022 accountability audit report no. 1032793.

(34) \$75,000 of the highway safety account—state appropriation is provided solely for the department, in conjunction with development of its comprehensive implementation plan to expand driver training education requirements for driver's license purposes to persons age 18 through 24, due to the legislature by October 1, 2024, pursuant to chapter 445, Laws of 2023, to analyze inclusion of a mandatory driver's education refresher course consisting of in-person or virtual classroom-based instruction on risk management and hazard protections one year after licensure. The department must consider related policies regarding appropriate subsidies to help pay for the refresher course and course appropriateness for intermediate license holders. The department must include this analysis in the plan due by October 1, 2024, or, alternatively, as an appendix to the plan or in a separate report due to the legislature by March 1, 2025.

(35) \$38,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 (speed safety cameras). If chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(36) \$28,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Senate Bill No. 5590), Laws of 2024 (Mount St. Helens license plate). If chapter . . . (Engrossed Senate Bill No. 5590), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 209. 2023 c 472 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TOLL OPERATIONS AND MAINTENANCE—
PROGRAM B**

State Route Number 520 Corridor Account—State Appropriation	(\$58,854,000)
	\$62,913,000
State Route Number 520 Civil Penalties Account—State Appropriation	\$4,178,000
Tacoma Narrows Toll Bridge Account—State Appropriation	(\$30,729,000)
	\$34,398,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	(\$20,701,000)
	\$22,542,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	(\$23,756,000)
	\$25,524,000
TOTAL APPROPRIATION	(\$138,218,000)
	\$149,555,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,484,000 of the state route number 520 corridor account—state appropriation are provided solely for the

purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips; and

(b) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) \$314,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$734,000 of the state route number 520 corridor account—state appropriation, \$315,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$413,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2021-2023 fiscal biennium.

(4) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(5) As part of the department's 2025-2027 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(6) Up to \$16,460,000 of the amounts provided for operations and maintenance expenses on the state route number 520 facility from the state route number 520 corridor account during the 2023-2025 fiscal biennium in this act are derived from the receipt of federal American rescue plan act of 2021 funds and not toll revenues.

(7) \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to begin a traffic and revenue study of segment tolling on the state route number 520 corridor. The department, in consultation with the transportation commission, shall initiate planning work regarding the anticipation of segment tolling on the state route number 520 corridor.

Sec. 210. 2023 c 472 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State Appropriation	\$1,494,000
Motor Vehicle Account—State Appropriation	(\$122,240,000)
	<u>\$122,725,000</u>
Puget Sound Ferry Operations Account—State Appropriation	\$307,000
Multimodal Transportation Account—State Appropriation	(\$2,986,000)
	<u>\$2,988,000</u>
Transportation 2003 Account (Nickel Account)—State Appropriation	\$1,488,000
TOTAL APPROPRIATION	(\$128,515,000)
	<u>\$129,002,000</u>

The appropriations in this section are subject to the following conditions and limitations:

~~((4))~~ ((4)) \$2,006,000 of the motor vehicle account—state appropriation is provided solely for hardware cost increases. Before any hardware replacement, the department, in consultation with WaTech, must further review leasing options.

~~((2) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.)~~

Sec. 211. 2023 c 472 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State Appropriation	(\$39,987,000)
	<u>\$40,354,000</u>
Move Ahead WA Account—State Appropriation	\$2,532,000
State Route Number 520 Corridor Account—State Appropriation	\$34,000
TOTAL APPROPRIATION	(\$42,553,000)
	<u>\$42,920,000</u>

The appropriations in this section are subject to the following conditions and limitations:

~~((2)(a)(i))~~ ((1)) \$500,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct a detailed space study and develop an implementation plan that builds off the findings and recommendations of the department's "Telework Impact Study" completed in September 2022. Such efforts must also incorporate office space use reduction requirements for the department in this act as well as current and planned telework levels. The detailed space study and development of the implementation plan must be conducted in consultation with the office of financial management and the department of enterprise services, and must focus on office and administrative space efficiency, providing specific recommendations, cost estimates, and cost savings. While focused on office and administrative space, the department is encouraged to review other types of facilities where efficiencies can be achieved. The final study report must include:

~~((A))~~ ((a)) The development of low, medium, and high scenarios based on reducing space use, with the high space reduction scenario being based on a minimum of a 30 percent reduction by 2030;

~~((B))~~ ((b)) Detailed information on any increased capital and other implementation costs under each scenario;

~~((C))~~ ((c)) Detailed information on reduced costs, such as leases, facility maintenance, and utilities, under each scenario;

~~((D))~~ ((d)) An analysis of opportunities to collocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency while meeting utilization standards; and

~~((E))~~ ((e)) An assessment of the commercial value and return to the state transportation funds associated with the sale of the property from consolidation and other space efficiency measures.

~~((ii))~~ ((2)(a)) The department must submit the implementation plan and final report from the detailed space study to the office of financial management and the transportation committees of the legislature by October 1, 2024.

~~((i))~~ ((b)) Conducting the detailed space study under ~~((a))~~ subsection (1) of this ~~((subsection))~~ section must not prevent or delay the department from meeting other space use and related requirements, or where warranted by current information or opportunities.

~~((ii))~~ ((c)) In addition to the reporting requirement under ~~((a))~~ subsection (1) of this ~~((subsection))~~ section, the department must provide information to the office of financial management in its comparative analysis of office space, leases, and relocation costs required by the omnibus operating appropriations act.

Sec. 212. 2023 c 472 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—PROGRAM E

Motor Vehicle Account—State Appropriation	\$700,000
Move Ahead WA Account—State Appropriation	\$20,000,000
Multimodal Transportation Account—State Appropriation	\$433,000
TOTAL APPROPRIATION	(\$20,433,000)
	<u>\$21,133,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire move ahead WA account—state appropriation is provided solely for the department's costs related to replacing obsolete transportation equipment and replacing fuel sites. Beginning December 1, 2024, and annually thereafter, the department must provide a report to the office of financial management and the transportation committees of the legislature detailing the current progress on replacing obsolete equipment, progress towards reaching a level purchasing state, and the status of a fuel site replacement prioritization plan. The report must also include:

(a) A list of department owned and managed fuel sites prioritized by urgency of replacement;

(b) A discussion of department practices that would create a sustained revenue source for capital repair and replacement of fuel sites; and

(c) A discussion of to what extent the fuel site infrastructure can support zero emissions vehicles.

(2)(a) \$100,000 of the multimodal transportation account—state appropriation is provided solely for the department to administer a pilot program to install and test intelligent speed monitoring technology in a portion of the department's fleet of vehicles while using global positioning system technology and other mapping tools to monitor vehicle location and corresponding speed limits on traveled roadways.

(b) The pilot program must begin by January 1, 2024, for a 12-month period. By June 30, 2025, the department must report to the transportation committees of the legislature the results of the pilot program and provide any legislative or policy recommendations.

Sec. 213. 2023 c 472 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

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Aeronautics Account—State Appropriation	(\$13,979,000)
	<u>\$14,572,000</u>
Aeronautics Account—Federal Appropriation	(\$3,650,000)
	<u>\$5,579,000</u>
Aeronautics Account—Private/Local Appropriation	\$60,000
TOTAL APPROPRIATION	(\$17,689,000)
	<u>\$20,211,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,000,000 of the aeronautics account—state appropriation is provided solely for the move ahead WA aviation grants. The department shall prioritize projects eligible for federal funding.

(2) \$1,476,000 of the aeronautics account—state appropriation is provided solely for sustainable aviation grants recommended by the department under the sustainable aviation grants program. The department shall submit a report to the transportation committees of the legislature by October 1, 2024, identifying a selection of sustainable aviation projects for funding by the legislature. In considering projects to recommend to fund, the department shall only consider projects that advance the state of sustainable aviation technology and lead to future innovation. Innovative sustainable aviation projects may include, but are not limited to, pilot projects demonstrating the use of:

- Mobile battery charging technology;
- Hydrogen electrolyzers and storage;
- Electric ground equipment; and
- Hanger charging technology.

(3) \$300,000 of the aeronautics account—state appropriation is provided solely for the department to develop a statewide advanced air mobility aircraft plan to develop and integrate advanced air mobility aircraft into current modal systems. The department shall submit a report by June 1, 2025, to the office of financial management and the transportation committees of the legislature including, but not limited to:

(a) Near, medium, and long-term recommendations for land use planning for advanced and urban air mobility vertiports and vertistops;

(b) An inventory of infrastructure needs to support a statewide vertiport network and a recommended program to deploy funds to local governments to share costs;

(c) Proposed state governance structures and regulatory mechanisms to adequately complement federal aviation administration oversight;

(d) Recommended policies to foster vertiport and vertistop infrastructure development that ensure open public access, efficiency in land use siting, and equitable distribution across the state; and

(e) In consultation with local jurisdictions, planning organizations, and other modal managers, recommendations on advanced air mobility aircraft integration into statewide transportation plans.

(4) \$1,931,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter 463, Laws of 2023 (commercial aviation services), to support the work of the department and the commercial aviation work group including, but not limited to, conducting meaningful community engagement with overburdened and vulnerable populations to address the state's transportation needs and the environmental justice impact of aviation on communities. ~~(If chapter 463, Laws of 2023 is not enacted by June 30, 2023, the amount in this subsection lapses.)~~

Sec. 214. 2023 c 472 s 214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PROGRAM DELIVERY MANAGEMENT AND
SUPPORT—PROGRAM H**

Motor Vehicle Account—State Appropriation	(\$64,470,000)
	<u>\$65,155,000</u>
Motor Vehicle Account—Federal Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation	(\$851,000)
	<u>\$1,351,000</u>
Move Ahead WA Flexible Account—State Appropriation	\$572,000
TOTAL APPROPRIATION	(\$66,393,000)
	<u>\$67,578,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) During the 2023-2025 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the first right of purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(2) \$469,000 of the motor vehicle account—state appropriation is reappropriated and provided solely for the implementation of chapter 217, Laws of 2021 (noxious weeds).

(3) The department shall determine the fair market value of the northern parcel of site 14 on the Puget Sound Gateway Program SR 509 Completion Project Surplus Property list, located immediately south of S. 216th Street and adjacent to the Barnes Creek Nature Trail in Des Moines, to be submitted to the transportation committees of the legislature by December 15, 2023, for an evaluation of possible next steps for use of the property that is in the public interest.

~~(4) ((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

~~(5))~~(a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credits and revenue generated by state agencies pursuant to chapter 70A.535 RCW.

(b) The LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, anticipates fulfillment of the requirements under chapter 70A.535 RCW of generating credits and revenue for transportation investments funded in an omnibus transportation appropriations act, including the move ahead WA transportation package. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.

(c) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.

~~((6))~~ (5) \$93,000 of the multimodal transportation account—state appropriation is provided solely for the implementation of chapter 169, Laws of 2023 (climate resilience strategy). If chapter 169, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(6)(a) \$1,600,000 of the motor vehicle account—state appropriation is provided solely for real estate services activities. The legislature finds that the following sections of public roadway owned by the department are no longer necessary for the state highway system:

(i) That segment of 267th Street NW located south of state route number 532 and west of Interstate 5 in the vicinity of the intersection of state route number 532 and 19th Avenue NW, serving parcel numbers: 32042600202300, 32042600102200, 32042600100600, 32042600100700, 32042600100400, 32042600100800, and 32042600102300;

(ii) That segment of Tester Road located adjacent to the south side of state route number 532;

(iii) That segment of 91st Ave SE located adjacent to the south side of state route number 522 in the vicinity of the intersection with 212th Street SE;

(iv) That segment of Bostian Road including as it turns and becomes 224th Street SE located on the south side of state route number 522 in the vicinity of 87th Ave SE;

(v) That segment of W. Bostian Road located on the north side of state route number 522; and

(vi) That segment of 268th Street NW located south of state route number 532.

(b) Therefore, pursuant to RCW 36.75.090, the department shall certify that these roadways are no longer needed by the state and convey the roadways to the county for continued use as public highways for motor vehicle use. Additionally, in consideration of the value of maintenance services provided by the county on the roadway comprising 267th Street NW during the time of department ownership, the department shall grant temporary access permits, for those properties abutting the conveyed segment of 267th Street NW, to use 19th Avenue NW for access to state route number 532, upon such terms and conditions as the department deems appropriate. The temporary access permits may be terminated when the conveyed segment of 267th Street NW is extended out to intersect with Sunday Lake Road, or when an alternate access route is established connecting to Sunday Lake Road.

(7)(a) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to explore alternative uses of the state's highway rights-of-way to address pressing public needs relating to climate change, equitable communications, renewable energy generation, electrical transmission and distribution projects, broadband projects, vegetation management, inductive charging in travel lanes, alternative fueling facilities, and other appropriate uses. In exploring alternative uses of the state's highway rights-of-way, the department shall:

(i) Review the utility accommodation policy and make recommendations to update the policy to include clean energy and connectivity projects under 23 C.F.R. Part 645. At a minimum, the recommendations for updated clean energy and connectivity projects must include renewable energy and electrical transmission and distribution;

(ii) Review and update the department's integrated roadside vegetation management plans to maximize carbon sequestration and develop habitat and forage for native pollinators, Monarch butterflies, and honeybees through plantings of native noninvasive flowering plants and grasses on the state highways rights-of-way and at safety rest areas;

(iii) Assess the state highways rights-of-way land areas most suitable for solar development by considering slope, elevation, vegetative cover, and solar radiation; and

(iv) Identify existing highway rights-of-way suitable as designated energy corridors for electric transmission and distribution and other energy infrastructure.

(b) In carrying out the requirements in (a) of this subsection, the department may consult with an organization that uses an advanced rights-of-way solar mapping tool that uses ArcGIS Pro software for faster and more precise analysis of rights-of-way solar using the state's full spatial rights-of-way data sets.

(c) The department must report its findings, recommendations, and status of its updates to the transportation committees of the legislature by January 15, 2025.

Sec. 215. 2023 c 472 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation	(\$694,000)
	\$1,074,000
Electric Vehicle Account—State Appropriation	(\$4,746,000)
	\$8,746,000
Multimodal Transportation Account—State Appropriation	\$4,400,000
Multimodal Transportation Account—Federal Appropriation	\$25,000,000
Carbon Emissions Reduction Account—State Appropriation	(\$164,600,000)
	\$123,300,000
TOTAL APPROPRIATION	(\$199,440,000)
	\$162,520,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,746,000 of the electric vehicle account—state appropriation and \$30,000,000 of the carbon emissions reduction (~~emissions~~) account—state appropriation are provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

(2) \$1,000,000 of the electric vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light-duty and heavy-duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.

~~(5)~~ (3) The public-private partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

~~(6)~~ (4) \$1,200,000 of the multimodal transportation account—state appropriation and \$2,000,000 of the carbon emissions reduction (~~emissions~~) account—state appropriation are provided solely for the pilot program established under chapter 287, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed

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federal or state emissions standards. Consistent with the geographical diversity element described in RCW 47.04.355(4), the legislature strongly encourages the department to consider implementing the pilot in both urban and rural communities if possible, to obtain valuable information on the needs of underserved communities located in different geographical locations in Washington.

~~((7) \$120,000,000)~~ (5) \$58,700,000 of the carbon emissions reduction account—state appropriation is provided solely for implementation of zero-emission commercial vehicle infrastructure and incentive programs and for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure.

(a) Of this amount, \$20,000,000 is for the department to administer an early action grant program to provide expedited funding ~~((to zero-emission commercial vehicle infrastructure demonstration projects))~~ for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure. The department must contract with ~~((a third party administrator))~~ the department of ecology to implement the early action grant program.

(b) The office of financial management shall place the remaining ~~((\$100,000,000))~~ \$38,700,000 in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 ~~((of this act)), chapter 472, Laws of 2023.~~ The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((8))~~ (6) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for hydrogen refueling infrastructure investments. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 ~~((of this act)), chapter 472, Laws of 2023.~~ The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((9))~~ (7) \$2,100,000 of the carbon emissions reduction account—state appropriation is provided solely to fund electric vehicle charging infrastructure for the electric charging megasite project at Mount Vernon library commons.

~~((10))~~ (8) \$2,500,000 of the carbon emissions reduction account—state appropriation is provided solely for zero emission cargo handling equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off-road equipment infrastructure and incentive strategy required under section 204 ~~((of this act)), chapter 472, Laws of 2023.~~ The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((11))~~ (9) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for clean off-road equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off-road

equipment infrastructure and incentive strategy required under section 204 ~~((of this act)), chapter 472, Laws of 2023.~~ The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

~~((12))~~ (10) \$2,500,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with cities, counties, ports, and private entities to develop actionable recommendations for state assistance in the development of specific candidate truck parking sites to be developed with amenities, identified by location. The department shall identify private land parcels for potential development of sites, which may include, but should not be limited to, a feasibility analysis of sites adjacent to Interstate 90 near North Bend for a 400 to 600 space truck parking site. The public benefit of each potential truck parking site must be included in this assessment. The department shall consider opportunities for the state to provide assistance in the development of truck parking sites, including possible opportunities to provide assistance in land acquisition and evaluating land use requirements. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(11) Beginning January 1, 2025, \$20,000,000 of the carbon emissions reduction account—state appropriation is provided solely for grants, and to serve as a state match for secured federal funds, to finance hydrogen refueling infrastructure for medium and heavy-duty vehicles in disadvantaged and overburdened communities. The department, in consultation with the interagency electric vehicle coordinating council, must pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 29 117-58).

(12) \$370,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6277), Laws of 2024 (public-private partnerships). If chapter . . . (Substitute Senate Bill No. 6277), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 216. 2023 c 472 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State	Appropriation
	((\$535,033,000))
	<u>\$544,847,000</u>
Motor Vehicle Account—Federal	Appropriation
Move Ahead WA Account—State	Appropriation
RV Account—State	Appropriation
State Route Number 520 Corridor	Account—State
Appropriation	((\$4,838,000))
	<u>\$4,841,000</u>
Tacoma Narrows Toll Bridge	Account—State
	Appropriation
Alaskan Way Viaduct Replacement	Project Account—
	State
Interstate 405 and State Route	Number 167 Express Toll
Account—State	Appropriation
TOTAL APPROPRIATION	((\$609,832,000))
	<u>\$620,749,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2)(a) \$115,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to enter into a dispute resolution process with local jurisdictions to produce interagency agreements to address the ongoing facility and landscape maintenance of the three state route number 520 eastside lids and surrounding areas at the Evergreen Point Road, 84th Avenue NE, and 92nd Avenue NE.

(b) The agreements pursuant to (a) of this subsection must be executed by June 30, 2024.

~~(3) ((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

(4)(a) ~~(((\$7,000,000))~~ \$9,000,000 of the motor vehicle account—state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2023, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the status of these efforts, including:

(i) A summary of the activities related to addressing encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

(iii) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

~~(((\$5))~~ (4) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection ~~((4))~~ (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's

property along state highways within the city limits. \$555,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

~~(((\$6))~~ (5) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection ~~((4))~~ (3) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

~~(((\$7))~~ (6) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection ~~((4))~~ (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

~~(((\$8))~~ (7) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health associated with homeless encampments on department-owned rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits pursuant to section 216(10), chapter 186, Laws of 2022. However, the amount provided in this subsection must be placed in unallotted status and may not be spent prior to November 1, 2023. If, after November 1, 2023, the department, in consultation with the office of financial management, determines that the department fully spent the \$2,000,000 appropriated in section 216(10), chapter 186, Laws of 2022, within the 2021-2023 fiscal biennium for this purpose, the amount provided in this subsection must remain in unallotted status and unspent. If the department did not fully spend the \$2,000,000 within the 2021-2023 fiscal biennium, the department may only spend from the appropriation in this subsection an amount not in excess of the amount unspent from the \$2,000,000 within the 2021-2023 fiscal biennium, with any remaining amount to remain in unallotted status and unspent. In no event may the department spend more than \$2,000,000 within the 2021-2023 and 2023-2025 fiscal biennia for this purpose.

(8) To the greatest extent practicable, the department shall schedule mowing along state highways to occur after litter pickup has been performed in the area to be mowed. This subsection is not intended to prevent mowing or other similar maintenance activities from being undertaken in the event litter pickup has not been performed.

Sec. 217. 2023 c 472 s 217 (uncodified) is amended to read as follows:

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**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION OPERATIONS—PROGRAM Q—
OPERATING**

Highway Safety Fund—State Appropriation	(\$3,529,000) <u>\$7,529,000</u>
Motor Vehicle Account—State Appropriation	(\$85,466,000) <u>\$87,535,000</u>
Motor Vehicle Account—Federal Appropriation	\$2,050,000
Motor Vehicle Account—Private/Local Appropriation	\$294,000
Move Ahead WA Account—State Appropriation	\$3,090,000
Multimodal Transportation Account—State Appropriation	\$5,000,000
State Route Number 520 Corridor Account—State Appropriation	\$247,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$44,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$1,122,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$37,000
TOTAL APPROPRIATION	(\$100,879,000) <u>\$106,948,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2023-2025 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in use for medical purposes, as described in section 208(~~((24) of this act))~~(20), chapter 472, Laws of 2023. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208(~~((24) of this act))~~(20), chapter 472, Laws of 2023 must be authorized to use the reserved portion of the highway.

(d) Nothing in this subsection is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(3) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions.

(4) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2025. The department may coordinate such messaging with any statewide public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission, or both.

(5) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

~~((7))~~ (6) \$3,529,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((8))~~ (7) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2023, the department shall report to the transportation committees of the legislature: (a) Recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state; and (b) amounts received and dates of receipt of any new cash and in-kind matches from virtual coordination center partners including, but not limited to, the city of Seattle, King county, other state and local jurisdictions, and private sector partners.

~~((9))~~ (8) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to prepare and submit a report to the transportation committees of the legislature by December 1, 2024, with a prioritized list of recommendations for improving safety and mobility on Interstate 90 between North Bend and Cle Elum during winter weather events, including estimated costs. The recommendations must include, but are not limited to, options to improve compliance with traction tire and chain requirements and reduce snow-related closures.

~~((11))~~ (9)(a) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for the department, in

coordination with the independent review team of the joint transportation committee, to conduct an analysis of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail. The study should generate volume estimates and evaluate scenarios for changes in infrastructure and operations that would be necessary to address those additional volumes. The assessment must include quantitative analysis based on available data in terms of both financial and carbon emission costs; and qualitative input gathered from tribal governments, local governments, freight interests, and other key stakeholders, including impacts on disadvantaged/underserved communities. The analysis must include a robust public engagement process to solicit feedback from interested stakeholders including but not limited to: Residents and officials in affected cities and counties; stakeholders involved in railroad, agriculture, fishing, trucking, shipping and other related industries; appropriate Native American tribes; representatives of advocacy and community organizations; and transportation, public works, and economic development organizations in the affected areas, federal highway administration and army corps of engineers. The analysis must be informed by the work of the joint transportation committee's independent review team, and must include the following:

- (i) Existing volumes and traffic patterns;
- (ii) Potential changes in volumes and traffic patterns immediately following the loss of freight movement by barge and over the following 20 years, including the carbon emissions impact of this mode shift;
- (iii) Identification of whether regional geography, land availability, and state and federal regulatory processes would allow for rail and road expansions and increased capacity;
- (iv) Identification of potential infrastructure and operational improvements to existing highways, other roads, and rail, including additional access to facilities, needed to accommodate the higher freight volumes and impacts and potential opportunities to mitigate impacts on shipping rates;
- (v) Identification of rail line development options, including impacts and potential opportunities to mitigate impacts on grain storage and handling facilities at regional unit train yards and port export facilities;
- (vi) An assessment of costs associated with mitigating potential slope failure and stabilization necessitated by the drawdown of the river. An assessment of impacts and potential opportunities to mitigate impacts on adjacent roads, bridges, railroads, and utility corridors shall be included;
- (vii) Both financial and carbon cost estimates for development and implementation of identified needs and options, including planning, design, and construction;
- (viii) Analysis of the impacts and potential opportunities to mitigate impacts of these infrastructure changes on environmental justice and disadvantaged/underserved communities during construction, as well as from future operations;
- (ix) Analysis of safety impacts and potential opportunities to mitigate impacts for a shift from barge transportation to rail or truck, including increases in rural community traffic and consistency with the Washington State Strategic Highway Safety Plan: Target Zero;
- (x) Impacts and potential opportunities to mitigate impacts on highly affected commodities, including agriculture, petroleum, project cargo, and wind energy components;
- (xi) Analysis of the impacts and potential opportunities to mitigate impacts that reduced competition resulting from removing barging of agricultural products on the Snake river

would have on Washington's agricultural industry along with impacts modal shifts would have on the entire supply chain, including export facilities and ports on the Lower Columbia River; and

(xii) Determination of the feasibility that additional east-west freight rail capacity can be achieved, particularly through Columbia River Gorge, and the alternative routes that exist in the event that adding more infrastructure on these routes is not feasible.

(b) The department shall provide status updates on a quarterly basis in coordination with the joint transportation committee. The legislature intends to require a final report to the governor and the transportation committees of the legislature by December 31, 2026.

(10) \$4,000,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, to evaluate and identify between 10 to 20 geographical locations in both urban and rural highway settings to install and implement wrong-way driving prevention strategies. Such prevention strategies may include improved signage and pavement markings as recommended by the traffic safety commission's report on wrong-way driving, "Strategies and Technologies to Prevent and Respond to Wrong-Way Driving Crashes." The department must report to the legislature any crash data or wrong-way violations that occur at the selected locations by June 30, 2025.

(11) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the department to develop an automated highway speed safety camera pilot program to test two to three automated traffic safety cameras technologies on state highways in no more than three testing locations, with at least one location on each side of the Cascade mountains. The goals of the automated highway speed safety camera pilot program are to test existing speed camera technology, determine the impact on speeding behavior in testing locations, and compile public response to the use of traffic safety cameras on highways. The department must work with the Washington state patrol and the traffic safety commission to develop the pilot program including, but not limited to: Selection of technology; placement of cameras in high speed, collision, or fatality locations; establishment of public notification and warning signs before entering into an area with a speed safety camera; outreach and public engagement in the program development and site selection process; and a process to collect and report data including rates of speed before, during, and after the presence of speed safety cameras and public response to cameras. The Washington state patrol is responsible for selecting testing locations and must use accident reports, including department and traffic safety commission crash data as needed, to identify high speed and high collision areas. Automated traffic safety cameras may only take pictures of the vehicle and the vehicle license plates, and the ticketing of violators is prohibited during the pilot program. The department may notify drivers of their rates of speed. The department shall provide a pilot program progress report to the governor and transportation committees of the legislature by September 30, 2024, to include public input to safety cameras, evaluation of technologies, and changes in speeding behavior.

Sec. 218. 2023 c 472 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION MANAGEMENT AND SUPPORT—
PROGRAM S**

Motor Vehicle Account—State Appropriation ((\$62,639,000))	\$63,494,000
Motor Vehicle Account—Federal Appropriation	\$780,000

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Motor Vehicle Account—Private/Local Appropriation	\$500,000
Move Ahead WA Flexible Account—State Appropriation	\$5,400,000
Puget Sound Ferry Operations Account—State Appropriation	\$510,000
Multimodal Transportation Account—State Appropriation	\$22,323,000
State Route Number 520 Corridor Account—State Appropriation	\$220,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$136,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$127,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$114,000
TOTAL APPROPRIATION	(\$92,749,000)
	<u>\$93,604,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$5,400,000 of the move ahead WA flexible account—state appropriation are provided solely for efforts to increase diversity in the transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification; and

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry.

(b) The department shall report annually to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(2) \$1,512,000 of the motor vehicle account—state appropriation and \$488,000 of the Puget Sound ferry operations account—state appropriation are provided solely for the department to develop, track, and monitor the progress of community workforce agreements, and to assist with the development and implementation of internal diversity, equity, and inclusion efforts and serve as subject matter experts on federal and state civil rights provisions. The department shall engage with relevant stakeholders, and provide a progress report on the implementation of efforts under this subsection to the transportation committees of the legislature and the governor by December 1, 2024.

(3) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by December 1, 2024.

(4) \$21,195,000 of the motor vehicle account—state appropriation and \$21,194,000 of the multimodal transportation account—state appropriation are provided solely for the

department to upgrade the transportation reporting and accounting information system to the current cloud version of the software, and is subject to the conditions, limitations, and review requirements of section 701 ~~((of this act))~~, chapter 472, Laws of 2023.

~~(((6)))~~ (5) \$56,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 230, Laws of 2023 (clean energy siting). If chapter 230, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

Sec. 219. 2023 c 472 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Carbon Emissions Reduction Account—State Appropriation	(\$3,000,000)
	<u>\$4,000,000</u>
Motor Vehicle Account—State Appropriation	(\$32,089,000)
	<u>\$32,687,000</u>
Motor Vehicle Account—Federal Appropriation	(\$31,412,000)
	<u>\$31,527,000</u>
Motor Vehicle Account—Private/Local Appropriation	\$400,000
Move Ahead WA Flexible Account—State Appropriation	\$11,922,000
Multimodal Transportation Account—State Appropriation	(\$2,414,000)
	<u>\$3,214,000</u>
Multimodal Transportation Account—Federal Appropriation	\$2,809,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	(\$84,146,000)
	<u>\$86,659,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$750,000 of the multimodal transportation account—state appropriation is provided solely for the department to partner with the department of commerce and regional transportation planning organizations in implementing vehicle miles traveled targets and supporting actions. As part of target setting, important factors that must be considered include land use patterns, safety, and vulnerable populations. The department shall provide an interim report by June 30, 2024, and a final report by June 30, 2025.

~~(((3)))~~ (2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to continue implementation of a performance-based project evaluation model. The department must issue a report by September 1, 2024.

~~(((4)))~~ (3)(a) \$180,000 of the multimodal transportation account—state appropriation is provided solely for Thurston regional planning council (TRPC) to conduct a study examining options for multimodal high capacity transportation (HCT) to serve travelers on the Interstate 5 corridor between central Thurston county (Olympia area) and Pierce county.

(b) The study will include an assessment of travelsheds and ridership potential and identify and provide an evaluation of options to enhance connectivity and accessibility for the greater south Puget Sound region with an emphasis on linking to planned or existing commuter or regional light rail. The study must account for previous and ongoing efforts by transit agencies and the department. The study will emphasize collaboration with a diverse community of interests, including but not limited to transit, business, public agencies, tribes, and providers and users

of transportation who because of age, income, or ability may face barriers and challenges.

(c) The study is due to the governor and transportation committees of the legislature by September 1, 2024.

~~((5) \$400,000)~~ (4) \$700,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by state route number 99.

(a) The support work must include:

(i) A public engagement and visioning process led by a neighborhood-based, community organization; and

(ii) A feasibility study of decommissioning state route number 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of state route number 99.

(c) The city must provide a report on the plan that includes recommendations to the Seattle city council, state department of transportation, and the transportation committees of the legislature by ~~((December 1, 2024))~~ June 30, 2025.

~~((6))~~ (5) \$2,557,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS), and is subject to the conditions, limitations, and review requirements in section 701 ~~((of this act)),~~ chapter 472, Laws of 2023.

~~((7))~~ (6) \$306,000 of the multimodal transportation account—state appropriation is provided solely for the department to appoint or designate a liaison to serve as a point of contact and resource for the department, local governments, and project proponents regarding land use decisions and processing development permit applications. The liaison must, as a priority, facilitate and expedite any department decisions required for project approval.

~~((8) \$627,000)~~ (7) \$742,000 of the motor vehicle account—federal appropriation is provided solely for remaining work on the "Forward Drive" road usage charge research project overseen by the transportation commission using the remaining amounts of the federal grant award. The remaining work of this project includes:

(a) Analysis of road usage charge simulation and participant surveys;

(b) Follow up on road usage charge experiences related to payment installments, mileage exemptions, and vehicle-based mileage reporting;

(c) Completion of technology research; and

(d) Development of the final "Forward Drive" research program report.

~~((9))~~ (8)(a) \$11,922,000 of the move ahead WA flexible account—~~((federal))~~ state appropriation is provided solely for an Interstate 5 planning and environmental linkage study and a statewide Interstate 5 master plan, building upon existing work under way in the corridor. It is the intent of the legislature to provide a total of \$40,000,000 for this work by 2029.

(b) The work under (a) of this subsection must include, but is not limited to, the following:

(i) Seismic resiliency planning to refine the level of effort and develop informed cost estimates for the seismic vulnerability analysis;

(ii) HOV lane system-wide performance planning and initial steps to launch a pilot project that progresses innovative and emerging technologies;

(iii) Interstate 5 corridor planning work, including development of a framework, coordination of corridor needs, development of core evaluation criteria and a prioritization process, and identification of early action priority projects that address safety or resiliency, or both, along the corridor; and

(iv) A report to the transportation committees of the legislature by December 1, 2024, with recommendations for future phases and a detailed funding request for work planned through 2029.

(c) Of the amounts provided in this subsection, \$300,000 is provided solely for the department to conduct a Seattle Interstate 5 ramp reconfiguration study. The study must be conducted in coordination and partnership with the city of Seattle's department of transportation, informed by the input of Interstate 5 lid stakeholders, and coordinated with work under (a) and (b) of this subsection. The department must provide a study report, including recommendations, to the city of Seattle's department of transportation and the transportation committees of the legislature by December 1, 2024. The study must include an analysis of:

(i) Options and opportunities to reconfigure, relocate, or remove Interstate 5 ramps within and between Chinatown-International District and the University District for the purpose of improving through-traffic operations, enhancing multimodal transportation safety, and enabling more efficient air rights development;

(ii) Potential mitigation needs and cost estimates of ramp changes and demolitions;

(iii) Benefits of ramp changes and demolitions to pedestrian and bicycle travel, transit operations, and future lid design;

(iv) Ramps for the mainline, collector-distributor lanes and express lanes including, at a minimum, ramps connecting to and from James Street, Cherry Street, 6th Avenue, Madison Street, Seneca Street, Spring Street, University Street, Union Street, Olive Way, Yale Avenue, NE 45th Street, and NE 50th Street;

(v) Removal of the existing ramps at Seneca Street, Spring Street, and University Street; and

(vi) Removal and consolidation options of the existing NE 45th Street and NE 50th Street ramps.

(d) The department shall work with the emergency management division of the military department to identify strategic transportation corridors, opportunities to improve resilience and reinforce the corridors against natural disasters, and opportunities to secure federal funding for investments in the resilience of the transportation network. The department shall provide a report to the transportation committees of the legislature by December 1, 2023, on:

(i) Strategic transportation corridors and opportunities to improve their resilience;

(ii) Federal funding opportunities the state should pursue; and

(iii) Recommendations for actions to maximize federal funding for the state of Washington.

~~((10))~~ (9) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and future high-speed rail alignment, and commercial aviation capacity. The department must report to the joint transportation committee through existing reporting mechanisms on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through

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consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario.

~~((43))~~ (10) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department, in coordination with the department's HEAL act team and environmental services office, to develop and implement a community outreach, education, and technical assistance program for overburdened communities and their community partners in order to develop community-centered carbon reduction strategies to make meaningful impacts in a community, and to provide assistance in gaining access to available funding to implement these strategies, where applicable. The department may provide appropriate compensation to members of overburdened communities who provide solicited community participation and input needed by the department to implement and administer the program established in this subsection. By June 1, 2024, and by June 1, 2025, the department must submit a report to the transportation committees of the legislature and to the governor that provides an update on the department's community outreach, education, and technical assistance program development and implementation efforts.

(11) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle department of transportation to create a digital conflict area awareness management program to provide machine-readable information for transportation operators, such as autonomous vehicle fleet operators, to be aware of conflict areas, such as emergency response zones, work zones, schools, pick up and drop off locations, and other areas where vulnerable road users may be present.

(a) Program work must include:

(i) The city of Seattle engaging with first responders and transportation management officials and other relevant stakeholders, to determine program implementation needs and processes; and

(ii) A feasibility study of implementing the program's mobility and curb data specifications, to include, but not be limited to, necessary partners, data platforms, ability to integrate real-time 911 dispatch, emergency vehicles, work zones, and other areas to reduce conflicts for transportation operators of autonomous vehicle fleets on public roads and in the right-of-way.

(b) Program work must also be conducted in coordination and partnership with city of Seattle departments, the nonprofit steward of the program's mobility and curb data specifications, the Washington state department of transportation, and other entities potentially impacted by the implementation of the program.

(c) As feasible, the city of Seattle shall prepare an implementation pilot of the program to make a standardized data feed available publicly for transportation operator use.

(d) The city of Seattle must provide a report on any findings and recommendations of the program and any implementation needs and process mapping for use by other jurisdictions to the Washington state department of transportation and the transportation committees of the legislature by June 30, 2025.

(12) \$200,000 of the motor vehicle account—state appropriation is provided solely for planning and intersection improvements along state route number 904 and improvements to the local network that would feed intersections with state route number 904. This work must include, but is not limited to, the Medical Lake/Four Lakes Road/West 3rd Ave intersection and feeding local network. The department must collaborate with

Spokane county and the city of Cheney on this work and other improvement ideas along the corridor.

(13)(a) \$500,000 of the motor vehicle account—state appropriation is provided solely for planning and preliminary engineering necessary to complete cost estimates and structure designs associated with construction of wildlife crossings at the top two statewide priority locations to enhance habitat connectivity.

(b) The department shall submit a report to the appropriate committees of the legislature by December 1, 2024, including at a minimum:

(i) Identification of statewide priority locations for habitat connectivity;

(ii) The basis for the determination of the locations included on the identification list; and

(iii) Estimates of costs necessary to complete remaining design, permitting, right-of-way acquisition, and construction of wildlife crossing structures at the locations identified.

(c) The legislature intends to use the information collected to consider the allocation of fund matching in future biennia for federal grants to construct wildlife crossings at the statewide priority locations.

(14) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to fund one full-time equivalent liaison position within the local program multiagency permit program. Within the amounts provided in this section, the department shall work to enhance its multiagency permit program capabilities, with an emphasis on multiagency agreements that streamline, prioritize, and expedite project-level and programmatic permits and approvals. The department shall review current multiagency permit program practices and provide a report with recommendations on the enhancement of the program to the transportation committees of the legislature by December 1, 2024.

(15) Beginning January 1, 2025, \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to contract with a world cup organizing committee based in Seattle to undertake low carbon transportation planning efforts that will help prepare for the increase in visitors due to the 2026 FIFA world cup soccer matches in Seattle and other venues in the state. The planning, to be developed in coordination with the department and local mobility agencies, must identify critical infrastructure and operational improvements that will support active transportation and reliability of transit, making it easier for the public to choose options other than single-occupancy vehicles. A progress report including best practices for future events must be delivered to the department, office of the governor, and transportation committees of the legislature by June 30, 2025.

Sec. 220. 2023 c 472 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
CHARGES FROM OTHER AGENCIES—PROGRAM U**

Aeronautics Account—State Appropriation	\$1,000
Transportation Partnership Account—State Appropriation	((29,000))
	\$56,000
Motor Vehicle Account—State Appropriation	((105,197,000))
	\$110,703,000
Puget Sound Ferry Operations Account—State Appropriation	\$244,000
State Route Number 520 Corridor Account—State Appropriation	\$69,000

Connecting Washington Account—State Appropriation	((\$233,000))
	<u>\$452,000</u>
Multimodal Transportation Account—State Appropriation	((\$5,585,000))
	<u>\$6,315,000</u>
Tacoma Narrows Toll Bridge Account—State Appropriation	\$43,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$38,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	((\$40,000))
	<u>\$43,000</u>
TOTAL APPROPRIATION	((\$111,479,000))
	<u>\$117,964,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

Sec. 221. 2023 c 472 s 221 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PUBLIC TRANSPORTATION—PROGRAM V**

Carbon Emissions Reduction Account—State Appropriation	((\$500,000))
	<u>\$10,500,000</u>
Climate Transit Programs Account—State Appropriation	((\$406,287,000))
	<u>\$410,545,000</u>
State Vehicle Parking Account—State Appropriation	\$784,000

Regional Mobility Grant Program Account—State Appropriation	((\$115,060,000))
	<u>\$126,275,000</u>
Rural Mobility Grant Program Account—State Appropriation	((\$32,774,000))
	<u>\$33,077,000</u>
Multimodal Transportation Account—State Appropriation	((\$118,255,000))
	<u>\$125,737,000</u>
Multimodal Transportation Account—Federal Appropriation	\$4,374,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	((\$678,134,000))
	<u>\$711,392,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$64,354,000~~)) \$64,906,000 of the multimodal transportation account—state appropriation and ((~~\$78,100,000~~)) \$78,325,000 of the climate transit programs account—state appropriation are provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$14,420,000 of the multimodal transportation account—state appropriation and \$17,963,000 of the climate transit programs account—state appropriation are provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$48,278,000 of the multimodal transportation account—state appropriation and \$60,137,000 of the climate transit programs account—state appropriation are provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2021 as reported in the "2021 Summary of Public Transportation" published by the department of transportation. No transit agency may receive more than 30 percent of these distributions. Fuel type may not be a factor in the grant selection process.

(c) ((~~\$1,656,000~~)) \$2,208,000 of the multimodal transportation account—state appropriation ((~~is~~)) and \$225,000 of the climate transit programs account—state appropriation are provided solely for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(2) ((~~\$32,774,000~~)) \$33,077,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) ((~~\$11,382,000~~)) \$11,598,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only, and costs for operating vanpools at public transit agencies are not eligible for funding under this grant program. Awards from the grant program must not be used to supplant transit funds currently funding ride

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share programs, or to hire additional employees. Fuel type may not be a factor in the grant selection process. Of the amounts provided in this subsection, (~~(\$1,092,000)~~) \$1,308,000 is for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(4) (~~(\$37,382,000)~~) \$48,597,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Public Transportation Program (V).

(5)(a) \$77,679,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2023, and December 15, 2024, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than 25 percent of the amount appropriated in this subsection unless all other funding is awarded. Additionally, when allocating funding for the 2023-2025 fiscal biennium, no more than 30 percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2023-2025 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(c) \$1,500,000 of the amount appropriated in this subsection is provided solely for a contingency fund to assist current regional mobility grantees with cost escalations and overages. The department shall create a system for grantees to request funds, and set a cap of contingency funds per grantee to ensure an equitable distribution among requesters.

(d) During the 2023-2025 fiscal biennium, the department shall consider applications submitted by regional transportation planning organizations and metropolitan planning organizations for the regional mobility grant program funding in the 2025-2027 fiscal biennium.

(6) \$6,195,000 of the multimodal transportation account—state appropriation, \$3,300,000 of the climate transit programs account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount, \$495,000 of the multimodal transportation account—state appropriation is reappropriated and provided solely for continuation of previously approved projects under the first mile/last mile connections grant program.

(7) (~~(\$11,914,000)~~) \$16,318,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024. It is the intent of the legislature that entities identified to receive funding in the LEAP transportation document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP transportation document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(8) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(9) \$12,000,000 of the multimodal transportation account—state appropriation and \$39,400,000 of the climate transit programs account—state appropriation are provided solely for the green transportation capital projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Public Transportation Program (V). Of the amount of climate transit program account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(10) (~~(\$4,407,000)~~) \$5,950,000 of the multimodal transportation account—state appropriation (~~(is)~~) and \$1,249,000 of the climate transit programs account—state appropriation are reappropriated and provided solely for the green transportation capital grant projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Public Transportation Program (V).

(11) (~~(\$10,000,000)~~) \$10,167,000 of the climate transit programs account—state appropriation is provided solely for tribal transit grants. Up to one percent of the amount provided in this subsection may be used for program administration and staffing.

(a) The department must establish a tribal transit competitive grant program (~~(to be administered as part of the department's consolidated grant program)~~). Grants to federally recognized tribes may be for any transit purpose, including planning, operating costs, maintenance, and capital costs. The department shall report to the transportation committees of the legislature and the office of financial management with a list of projects recommended for funding by September 1, (~~(2023)~~) 2024, along with recommendations on how to remove barriers for tribes to access grant funds, including removal of grant match requirements, and recommendations for how the department can provide technical assistance.

(b) Within the amount provided in this subsection, (~~(\$5,038,000)~~) \$10,167,000 is provided solely for move ahead Washington tribal transit grant projects as listed in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024. Of this amount, \$529,000 is for the Sauk-Suiattle Commuter project (L1000318).

(12) (~~(\$188,900,000)~~) \$188,930,000 of the climate transit programs account—state appropriation is provided solely for

transit support grants for public transit agencies that have adopted a zero-fare policy for youth 18 years of age and under by October 1, 2022. The department must confirm zero-fare policies are in effect at transit agencies to be eligible for biennial distributions.

(13) \$38,000,000 of the climate transit programs account—state appropriation is provided solely for the bus and bus facility grant program for replacement, rehabilitation, and purchase of transit rolling stock, or construction, modification, or rehabilitation of transit facilities.

(14) \$2,000,000 of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants. The department shall prioritize grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

(15) \$46,587,000 of the climate transit programs account—state appropriation is provided solely for move ahead Washington transit projects as listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, Move Ahead WA - Transit Projects.

(a) For projects funded as part of this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used within the 2023-2025 fiscal biennium to advance one or more of the projects listed, prioritizing projects first by tier then by project readiness.

(b) In instances when projects listed in the LEAP transportation document referenced in this subsection (15) are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations on certain funds provided. In the event that the listed project has been completed, the local jurisdictions may, rather than submitting an alternative project, be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(c) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(16) ~~((580,000))~~ \$702,000 of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

(17) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to update the 2019 feasibility study to add a fifth travel Washington intercity bus line in the Yakima Valley. The department must provide a summary report of the updated feasibility and cost estimates to the transportation committees of the legislature by December 1, 2024.

~~((49))~~ (18) \$555,000 of the multimodal transportation account—state appropriation and \$500,000 of the carbon emissions reduction account—state appropriation are provided solely for an interagency transfer to the Washington State University extension energy program to administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University

extension energy program shall prepare a report regarding the utilization of the program and submit this report to the transportation committees of the legislature by November 15, 2023.

~~((20))~~ (19)(a) \$400,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to develop a pilot program to place teams, including human services personnel, along routes that are enduring significant public safety issues and various disruptive behavior in south King county. The team would be available to deescalate disruptions, provide immediate access to transit resources, and refer customers to community resources to break cycles of inappropriate behavior. The teams must consist of individuals trained in deescalation and outreach. Team functions and duties should be cocreated with community stakeholders.

(b) King county metro must provide a report to the transportation committees of the legislature by June 30, 2024, regarding the effectiveness of the program, any suggestions for improving its efficacy, and any modifications that might be necessary for other transit providers to institute similar programs.

~~((21))~~ (20) \$500,000 of the multimodal transportation account—state appropriation is provided solely for planning to move Grays Harbor transit operation and administration facilities from the current location.

(21) As part of the department's 2025-2027 biennial budget request, the department must submit budget materials for the public transportation division separated into operating and capital budgeted programs.

(22) Beginning January 1, 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for new transit coordination grants, prioritizing projects that coordinate transit service to and from Washington state ferry terminals. Program eligibility must be expanded to include proposals from transit agencies in counties with fewer than 700,000 that coordinate service to and from Washington state ferry terminals.

(23) Beginning January 1, 2025, \$1,200,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to continue research on level of and access to transit service. The department shall define levels and types of demand-response service and measure access to these services within the state. The department shall also collect data and develop systems to achieve more accurate and precise analysis of disparities in access to transit service focusing on accessibility and inclusion of people with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department must also establish a financial model to fund transit at a statewide standard that is calibrated for geography, population density, and financial constraints of the existing transit agencies across the state. The department shall submit a report to the transportation committees of the legislature and the office of financial management by June 30, 2025.

(24) Beginning January 1, 2025, \$6,800,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed February 20, 2024:

(a) Base Refurbish & Expansion for Growth/Columbia County Public Transportation (L4000182);

(b) Kitsap Transit: Design & Shore Power (G2000115); and

(c) Pierce Transit - Meridian (L2021197).

Sec. 222. 2023 c 472 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

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Puget Sound Ferry Operations Account—State Appropriation	(\$575,986,000)
	<u>\$573,666,000</u>
Puget Sound Ferry Operations Account—Federal Appropriation	(\$163,791,000)
	<u>\$198,650,000</u>
Puget Sound Ferry Operations Account—Private/Local Appropriation	\$121,000
TOTAL APPROPRIATION	(\$739,898,000)
	<u>\$772,437,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2023-2025 supplemental and 2025-2027 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) ~~(\$90,014,000)~~ \$97,060,000 of the Puget Sound ferry operations account—federal appropriation and ~~(\$50,067,000)~~ \$51,450,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the 2023-2025 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 ~~(of this act)~~, chapter 472, Laws of 2023. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(3) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(4) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(5) \$175,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to continue a study of passenger demographics. The study may be included as part of a larger origin and destination study. The department shall report study results to the transportation committees of the legislature by December 1, 2023. Following completion of the study, the department must compare study results to the composition of groups outlined in RCW 47.60.310, both by overall representation of ferry riders and by route. A summary is due to the office of the governor and transportation committees of the legislature by December 1, 2024.

(6) The department shall continue to oversee a consultant study to identify and recommend cost-effective strategies to maximize walk-on passenger ridership of the Anacortes – San Juan ferry routes. The study is due to the transportation committees of the legislature by December 1, 2023. By December 1, 2024, any feasible near to medium term solutions identified from the study must be reported to the office of the governor and transportation committees of the legislature and include cost estimates for implementation.

(7) ~~(\$41,842,000)~~ \$15,985,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to:

(a) Provide scholarships, coursework fees, and stipends for candidates to become licensed deck officers (mates);

(b) Improve the process for unlicensed candidates who have achieved able-bodied sailor (AB) status to earn their mate's license;

(c) Annually hire, orient, train, and develop entry level engine room staff at the wiper classification with the intention of successfully promoting to oiler classification;

(d) Create an operations project management office; ~~(and)~~

(e) Increase human resources capacity and add a workforce ombuds; and

(f) Hire additional dispatch staff.

(8) \$988,000 of the Puget Sound ferry operations account—state appropriation is provided solely for expansion of the wiper to oiler program to develop engine room workforce.

(9) \$169,000 of the Puget Sound ferry operations account—state appropriation is provided solely for hiring an additional service planner.

~~(10)~~ (a) During negotiations of the 2025-2027 collective bargaining agreements, the department must conduct a review and analysis of the collective bargaining agreements governing state ferry employees, to identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must incorporate, to the extent practicable, the findings and recommendations from the December 2022 joint transportation committee study on Washington state ferries' workforce, and must also include, but not be limited to, provisions regarding seniority, work assignments, and work shifts. The review and analysis must also include consultation with the governor's office of labor relations, the governor's office of equity, and the attorney general's office.

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

~~(\$1,500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the restoration of service to Sidney, British Columbia. Funds must be held in unallotted status pending completion of the assessment referenced in subsection (12) of this section.~~

~~(40))~~ (11) \$1,504,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter 188, Laws of 2023 (state ferry workforce development issues). If chapter 188, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~(\$1,000,000)~~ (12) \$5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route.

~~(42))~~ (13) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely to assess temporary service restoration options for the Sidney, British Columbia route until Washington state ferries can resume its service. Washington state ferries must provide service options and recommendations to the office of financial management and

the transportation committees of the legislature by December 15, 2023.

~~((13))~~ ~~(\$2,100,000))~~ (14) \$2,549,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

~~((14))~~ ~~(\$9,000,000))~~ (15) \$13,856,000 of the Puget Sound ferry operations account—state appropriation is provided solely for overtime and familiarization expenses incurred by engine, deck, and terminal staff. The department must provide updated staffing cost estimates for fiscal years 2024 and 2025 with its annual budget submittal and updated estimates by January 1, 2024.

~~((15))~~ (16) \$1,064,000 of the Puget Sound ferry operations account—state appropriation is provided solely for traffic control at ferry terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and Bainbridge Island, during peak ferry travel times, with a particular focus on Sundays and holiday weekends.

~~((16))~~ (17) \$93,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the Washington state ferries to secure housing for workforce training sessions and to pay in advance for the costs of transportation worker identification credentials, merchant mariner credentials, and medical examinations for incoming ferry system employees and trainees.

~~((17))~~ (18) \$10,417,000 of the Puget Sound ferry operations account—state appropriation is provided solely for vessel maintenance initiatives to:

- (a) Add a second shift at the Eagle Harbor maintenance facility;
- (b) Establish maintenance management project controls to maximize vessel maintenance work at the Eagle Harbor facility;
- (c) Expand the existing Washington state ferries Eagle Harbor apprenticeship program from two to eight apprentices; and
- (d) Maintain assets in a state of good repair by investing in enterprise asset management operating capacity.

~~((18))~~ (19)(a) \$855,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to provide to Seattle Central Community College for a pilot with the Seattle Maritime Academy for the 2023-2025 fiscal biennium. Funding may not be expended until Washington state ferries certifies to the office of financial management that a memorandum of agreement with Seattle Central Community College has been executed, and the office of financial management determines that funds provided in this subsection are utilized for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. The memorandum of agreement with Seattle Central Community College must address:

- (i) Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;
- (ii) Development of a joint recruitment plan with Seattle Central Community College aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, including maritime skills center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and
- (iii) Consultation between the parties on the development of the training program, recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color.

(b) The joint training and recruitment plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023. The Washington state ferries must submit findings of program effectiveness and recommendations for

continuation of the pilot, to the appropriate committees of the legislature by December 1, 2024.

~~((19))~~ (20) \$420,000 of the Puget Sound ferry operations account appropriation—state is provided solely for a contract with an organization with experience evaluating and developing recommendations for the Washington state ferries' workforce to provide expertise on short-term strategies including, but not limited to, addressing recruitment, retention, diversity, training needs, leadership development, and succession planning. The consultant shall provide additional assistance as deemed necessary by the Washington state ferries to implement recommendations from the joint transportation committee 2022 workforce study. Periodic updates must be given to the joint transportation committee and the governor.

~~((20))~~ (21) By December 31st of each year, as part of the annual ferries division performance report, the department must report on the status of efforts to increase the staff available for maintaining the customary level of ferry service, including staff for deck, engine, and terminals. The report must include data for a 12-month period up to the most recent data available, by staff group, showing the number of employees at the beginning of the 12-month period, the number of new employees hired, the number of employees separating from service, and the number of employees at the end of the 12-month period. The department report on additional performance measures must include:

- (a) Numbers of trip cancellations due to crew availability or vessel mechanical issues; ~~((and))~~
- (b) Current level of service compared to the full-service schedules in effect in 2019; and

(c) Retention rates of employees who have completed on the job workforce development programs and overall employee retention rates.

(22) \$10,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to increase deck and engine positions across the system, prioritizing positions that will mitigate crew related cancellations and reduce overtime expenditures. The department must include an update on the number of positions hired by job class as part of the annual performance report. The legislature intends to provide \$16,000,000 on an ongoing basis to support additional crew efforts.

(23)(a) \$600,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to evaluate the feasibility of passenger-only ferry service to support existing ferry service routes in the San Juan Islands. The department must contract with a third-party entity to:

(i) Prioritize evaluating options and provide recommendations for a San Juan county interisland passenger-only ferry to include, but not be limited to, an analysis of estimated ridership, availability of passenger-only vessels that align with existing ferry terminals or nearby dock facilities, options and cost estimates for purchasing or leasing a ferry vessel, options for contracting with an existing passenger-only ferry service, and operating costs including labor and fuel; and

(ii) Evaluate governance structures for any viable passenger-only ferry routes and recommend entities or organizations best suited to deliver services. The analysis must include a cost-benefit analysis of public versus private operators for viable routes, and public engagement for identified areas, including the San Juan county council.

(b) A progress report is due to the governor and transportation committees of the legislature by December 31, 2024. A final report is due to the office of the governor and transportation committees of the legislature by June 30, 2025.

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(24) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to reimburse walk-on customers for emergency expenses incurred as a result of a cancellation of the last sailing of the day. In consideration for receiving the reimbursement, an applicant must sign a release of claims drafted by the department. The department shall create a process for reimbursement and set a per diem limit for reimbursement per individual.

(25) \$2,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the temporary extension, due to extraordinary circumstances, of multiuse passes from 90 days to 120 days through June 30, 2025.

(26) \$3,170,000 of the Puget Sound ferry operations account—state appropriation is provided solely for temporary expanded weekday midday King county water taxi service support to and from Vashon Island.

Sec. 223. 2023 c 472 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Carbon Emissions Reduction Account—State Appropriation	\$2,250,000
Multimodal Transportation Account—State Appropriation	(\$90,565,000)
	\$85,842,000
<u>Multimodal Transportation Account—Federal Appropriation</u>	<u>\$13,122,000</u>
Multimodal Transportation Account—Private/Local Appropriation	\$46,000
<u>Transportation Infrastructure Account—State Appropriation</u>	<u>\$2,000,000</u>
TOTAL APPROPRIATION	(\$92,861,000)
	\$103,260,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall continue to pursue restoring Amtrak Cascades service to pre-COVID service levels, and to the service levels committed to through the department's obligation of funding from the federal American recovery and reinvestment act. A status report must be provided to the transportation committees of the legislature and the office of financial management by September 1, 2023.

(2)(a) \$2,250,000 of the multimodal transportation account—state appropriation is provided solely for the continued coordination, engagement, and planning for a new ultra high-speed ground transportation corridor with participation from Washington state, Oregon state, and British Columbia, and is a reappropriation of funds appropriated in the 2021-2023 fiscal biennium. For purposes of this subsection, "ultra high-speed" means a maximum testing speed of at least 250 miles per hour. These efforts are to support and advance activities and must abide by the memorandum of understanding signed by the governors of Washington and Oregon states, and the premier of the province of British Columbia in November 2021. The department shall establish a policy committee with participation from Washington state, Oregon state, and British Columbia, including representation from the two largest caucuses of each chamber of the Washington state legislature, and coordinate the activities of the policy committee to include:

(i) Developing an organizational framework that facilitates input in decision-making from all parties;

(ii) Developing a public engagement approach with a focus on equity, inclusion, and meaningful engagement with communities, businesses, federal, state, provincial, and local governments including indigenous communities;

(iii) Developing and leading a collaborative approach to prepare and apply for potential future federal, state, and provincial funding opportunities, including development of strategies for incorporating private sector participation and private sector contributions to funding, including through the possible use of public-private partnerships;

(iv) Beginning work on scenario analysis addressing advanced transportation technologies, land use and growth assumptions, and an agreed to and defined corridor vision statement; and

(v) Developing a recommendation on the structure and membership of a formal coordinating entity that will be responsible for advancing the project through the project initiation stage to project development and recommended next steps for establishment of the coordinating entity. Project development processes must include consideration of negative and positive impacts on communities of color, low-income households, indigenous peoples, and other disadvantaged communities.

(b) By June 30, 2024, the department shall provide to the governor and the transportation committees of the legislature a high-level status update that includes, but is not limited to, the status of the items included in (a)(i) through (v) of this subsection.

(c) By June 30, 2025, the department shall provide to the governor and the transportation committees of the legislature a report detailing the work conducted by the policy committee and recommendations for establishing a coordinating entity. The report must also include an assessment of current activities and results relating to stakeholder engagement, planning, and any federal funding application. As applicable, the assessment should also be sent to the executive and legislative branches of government in Oregon state and appropriate government bodies in the province of British Columbia.

~~((4))~~ (3) \$1,800,000 of the multimodal transportation account—state appropriation ~~((is))~~ and \$12,000,000 of the multimodal transportation account—federal appropriation are provided solely for the department ~~((to pursue federal grant opportunities))~~ to develop and implement a technology-based truck parking availability system along the Interstate 5 Corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers. The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

~~((5—\$5,950,000))~~ (4)(a) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for ~~((implementation of truck parking improvements recommended by the freight mobility strategic investment board in consultation with the department under section 206(4) of this act. The office of financial management must place this amount in unallotted status))~~ the design on the I-5 Fort Lewis weigh station and SR 906 Phase 3 truck parking improvements.

(b) The legislature intends to provide \$4,950,000 in the 2025-2027 fiscal biennium for additional truck parking improvements. As part of the department's 2025-2027 budget submittal, the department and the freight mobility strategic investment board, after consulting with appropriate entities, must provide a list of specific truck parking solutions within the amounts provided in this subsection (4)(b). The list may also include additional funding recommendations beyond this amount for more immediate expansion of truck parking capacity.

(5) Consistent with the ongoing planning and service improvement for the intercity passenger rail program, \$335,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades service development plan, to be used to analyze current and future market conditions and to develop a structured assessment of service options and goals based on anticipated demand and the results of the state and federally required 2019 state rail plan, including identifying implementation alternatives to meet the future service goals for the Amtrak Cascades route. The work must be consistent with the federal railroad administration guidance and direction on developing service development plans.

(6) The department shall continue to provide high quality intercity passenger rail service, align planning efforts for continued growth and on-time performance improvements consistent with federally recognized corridor development programs, and implement improvements consistent with planning efforts through leveraging federal funding opportunities. New passenger rail equipment is essential to service enhancements. The department shall make every effort to coordinate with service partners to prepare for the arrival of new trainsets and implementation of service enhancements. A status report must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2024.

(7) \$500,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades corridor planning as part of the corridor identification and development program, in coordination with the Oregon state department of transportation. The department must continue to pursue funding opportunities for the Cascades corridor through the corridor identification and development program and the federal-state partnership programs at the federal rail administration. The department must notify the office of the governor and the transportation committees of the legislature of funding opportunities from the programs and any corresponding state match needs.

(8) \$2,000,000 of the transportation infrastructure account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6302), Laws of 2024 (supply chain competitiveness infrastructure program). Of the amount provided in this subsection, \$1,000,000 of the transportation infrastructure account—state appropriation must be held in unallotted status pending completion of the stakeholder process and establishment of the grant and loan programs. If chapter . . . (Substitute Senate Bill No. 6302), Laws of 2024 is not enacted by June 30, 2024, the amount in this subsection lapses.

(9) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with partners on Amtrak long distance rail service.

Sec. 224. 2023 c 472 s 224 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—	
LOCAL PROGRAMS—PROGRAM Z—OPERATING	
<u>Carbon Emissions Reduction Account—State Appropriation</u>	
	<u>\$275,000</u>
Motor Vehicle Account—State Appropriation	((\$13,569,000))
	<u>\$14,129,000</u>
Motor Vehicle Account—Federal Appropriation	\$2,567,000
Multise Roadway Safety Account—State Appropriation	\$1,230,000
Multimodal Transportation Account—State Appropriation	((\$1,450,000))
	<u>\$1,500,000</u>

TOTAL APPROPRIATION	((\$18,816,000))
	<u>\$19,701,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for development, administration, program management, and evaluation of the federal fund exchange pilot program.

(2) \$1,063,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) Contract with the department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;

(b) Continue streamlining and updating the county road administration board's data dashboard, to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other interested parties;

(c) Commission a study to develop guidance for county public works departments conducting environmental justice assessments in their communities and recommend best practices for community engagement plans to address environmental health disparities for identified overburdened communities;

(d) Contract for a study to identify best practices within public works for the recruitment and retention of employees, including: Recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, methods to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work-life balance outcomes;

(e) Update the 2020 county transportation revenue study; and

(f) By December 15, 2024, report to the office of financial management and the appropriate committees of the legislature the deliverables from and the amounts expended on the purposes enumerated in this subsection.

~~((S))~~ (4)(a) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to develop the preliminary phase of an action plan for the establishment of cycle highways in locations that connect population centers and support mode shift.

(b) The action plan may complement and incorporate existing resources, including the state trails database maintained by the recreation and conservation office, local and regional plans, and the state active transportation plan.

(c) The action plan may also include, but is not limited to:

(i) Recommended design; geometric and operational criteria and typologies appropriate to urban, suburban, and rural settings; settings that include shared use; and incremental approaches to achieve desired facility types;

(ii) A model or methodology to project potential demand and carrying capacity based on facility quality, level of traffic stress, location, directness, land use, and other key attributes;

(iii) Examination of the feasibility of developing high-capacity infrastructure for bicycle and micromobility device use within a variety of contexts and recommendations for pilot projects;

(iv) Identification of key gaps in regional networks, including planned and aspirational routes and locations within three miles of high-capacity transit or existing shared-use paths and trails suitable for transportation;

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(v) Identification of legal, regulatory, financial, collaboration, and practical barriers to development and community acceptance and support of such facilities; and

(vi) Recommended strategies to consider and address issues to avoid unintended consequences such as displacement, and to ensure equity in long-term development of such facilities.

(d) The department must provide a report with its initial findings, and recommendations for next steps, to the transportation committees of the legislature by June 30, 2025.

~~((6)) \$140,000 of the motor vehicle account—state appropriation is provided solely for the Pierce county ferry to eliminate fares for passengers 18 years of age and younger.~~

~~(7))~~ (5) \$750,000 of the multimodal transportation account—state appropriation is provided solely for a grant program to support local initiatives that expand or establish civilian intervention programs for nonmoving violations, focusing on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

(a) Grants must be awarded to local jurisdictions based on locally developed proposals to establish or expand existing programs, including programs with community led organizations. Eligible jurisdictions under the grant program include cities, counties, tribal government entities, tribal organizations, law enforcement agencies, or nonprofit organizations.

(b) The department shall report on its website by December 1st of each year on the recipients, locations, and types of projects funded under this subsection.

~~((8))~~ (6) \$146,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 428, Laws of 2023 (Wahkiakum ferry). If chapter 428, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(7)(a) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to examine the feasibility of creating a new budget program for the active transportation division, including, but not limited to, examining:

(i) Estimated cost, new staffing needs, and time frame to establish the program;

(ii) A proposed budget structure, and whether both operating and capital components should be established; and

(iii) Identification of staff, capital projects, and other resources that would need to be transferred from other existing programs.

(b) By December 1, 2024, the department shall report examination findings and recommendations to the office of financial management and the transportation committees of the legislature.

(8) Beginning January 1, 2025, \$275,000 of the carbon emissions reduction account—state appropriation is provided solely to support Pierce, Skagit, Whatcom, and Wahkiakum county ferries with youth zero-fare policies.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 301. 2023 c 472 s 301 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation
~~((7,700,000))~~
\$7,800,000

The appropriation in this section is subject to the following conditions and limitations:

(1) ~~((7,700,000))~~ \$7,800,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

(a) \$250,000 is for emergency repairs;

(b) \$2,000,000 is for roof replacements;

(c) \$350,000 is for fuel tank decommissioning;

(d) \$500,000 is for generator and electrical replacement;

(e) \$500,000 is for the exterior envelope of the Yakima office;

(f) \$2,000,000 is for energy efficiency projects;

(g) \$1,000,000 is for pavement surface improvements;

(h) \$300,000 is for fire alarm panel replacement;

~~(i) \$100,000 is for repairs at the Bellevue district office;~~

~~(j) \$200,000 is for an academy master plan.~~ As part of the academy master plan, the Washington state patrol must review and provide an analysis on the potential to colocate some training programs with other state agencies, including the department of corrections, the department fish and wildlife, the liquor and cannabis board, and the criminal justice training commission. The Washington state patrol must consult with the other state agencies to determine where cost efficiencies and mutually beneficial shared arrangements for training delivery could occur. The funding for this academy master plan is not a commitment to fund any components related to the expansion of the academy in the future;

~~((k))~~ (k) \$500,000 reappropriation is for the Tacoma district office generator replacement project; and

~~((l))~~ (l) \$100,000 reappropriation is for the energy improvement project at the SeaTac northbound facility.

(2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.

(3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may be transferred to another project specified in subsection (1) of this section not to exceed the total appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature 20 days before any transfer.

(4) By December 1, 2023, the Washington state patrol shall provide a report to the transportation committees of the legislature detailing utility incentives that will reduce the cost of heating, ventilating, and air conditioning systems funded in this section.

(5) By December 1, 2023, the Washington state patrol shall provide its capital improvement and preservation plan for agency facilities to the appropriate committees of the legislature.

Sec. 302. 2023 c 472 s 302 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Move Ahead WA Account—State Appropriation	\$9,333,000
Rural Arterial Trust Account—State Appropriation	((58,000,000))
	<u>\$62,487,000</u>
Motor Vehicle Account—State Appropriation	\$2,456,000
County Arterial Preservation Account—State Appropriation	\$35,500,000
TOTAL APPROPRIATION	((105,289,000))
	<u>\$109,776,000</u>

Sec. 303. 2023 c 472 s 304 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

<u>Connecting Washington Account—State Appropriation</u>	<u>\$3,000</u>
Motor Vehicle Account—State Appropriation	((29,173,000))
	<u>\$29,810,000</u>
Move Ahead WA Account—State Appropriation	\$12,011,000
Multimodal Transportation Account—State Appropriation	\$1,200,000

TOTAL APPROPRIATION ~~((\$42,384,000))~~
\$43,024,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,025,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline. All payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract for this facility must be deposited into the motor vehicle account.

(2)(a) \$10,011,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with periodic reporting to the joint transportation committee, must develop and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues, including clean buildings requirements; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility utilization based on field operations work supported at the location. "Field operations" include maintenance, transportation operations, materials testing, and construction.

(b) By October 15, 2024, covering the first 15 months of the 2023-2025 fiscal biennium, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous period to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the 2023-2025 fiscal biennium and the 2025-2027 fiscal biennium.

(c) The by facility ranking developed under (b) of this subsection must be the basis of an agency budget submittal for the 2025-2027 fiscal biennium.

(3)(a) \$1,200,000 of the multimodal transportation account—state appropriation is provided solely for the department to evaluate safety rest areas along Interstate 5 and Interstate 90 for potential truck parking expansion opportunities. The department shall also evaluate commercial vehicle inspection locations, in coordination with the Washington state patrol, for potential truck parking expansion opportunities.

(b) These evaluations must include assessments of opportunities to provide additional truck parking through rest stop and inspection location reconfiguration, expansion, and conversion, as well as evaluation of potential improvements to restroom facilities at weigh stations with truck parking. The department shall consider opportunities to expand rest stop footprints onto additional department-owned property, as well as opportunities to acquire property for rest stop expansion. Opportunities to convert a rest stop to a commercial vehicle-only

rest stop must be considered if property is available to develop a new light-duty vehicle rest stop within a reasonable distance. The department shall include an evaluation of a potential truck parking site at John Hill Rest Area along the Interstate 90 corridor identified in the joint transportation committee's "Truck Parking Action Plan." Evaluations must include cost estimates for reconfiguration, expansion, and conversion, as well as other recommendations for the development of these sites.

(c) The department should consult with the federal highway administration, the Washington state patrol, the Washington trucking association, the freight mobility strategic investment board, and local communities.

(d) The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(4) \$15,457,000 of the motor vehicle account—state appropriation is provided solely for making improvements to the department facility located at 11018 NE 51st Cir in Vancouver to meet the Washington state clean buildings performance standard.

(5)(a) \$4,100,000 of the move ahead WA account—state appropriation is provided solely for preliminary engineering and design associated with the demolition and replacement of the department's vehicle repair and parts building at 6431 Corson Avenue South in Seattle. The department must include any requested construction costs of the facility as a separate project as part of its agency budget submittal for the 2025-2027 fiscal biennium utilizing form C-100 for capital projects. The design information must also include detailed information on square footage, components of the facility, and cost comparisons with similar maintenance facilities.

(b) By September 1, 2024, the office of financial management, in consultation with the department, must develop criteria for preservation and improvement minor works lists for the department's facilities program. The criteria must incorporate, adjusted where appropriate, provisions already in use in the omnibus capital budget act for minor works, including: (i) The dollar limitation for each project to be included in the list; (ii) the types of projects appropriate to be included in the list; (iii) the project length limitation appropriate to be included in the list; and (iv) a recommended initial allotment, revision request approval, and revision notification process associated with the list. The criteria must be the basis of the preservation and improvement minor works list included in the agency budget submittal beginning with the 2025-2027 fiscal biennium.

(c) By September 1, 2024, the office of financial management, in consultation with the department, must also develop criteria for providing building related capital requests in a comparable format, adjusted where appropriate, to provisions already in use in the omnibus capital appropriations act for building projects, including the C-100 capital request form and other detail requirements for omnibus capital appropriations act building submissions.

Sec. 304. 2023 c 472 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$23,794,000
Climate Active Transportation Account—State Appropriation	\$2,000,000
Move Ahead WA Account—Private/Local Appropriation	\$137,500,000
<u>State Route Number 520 Civil Penalties Account—State Appropriation</u>	<u>\$10,000,000</u>

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Transportation 2003 Account (Nickel Account)—State Appropriation	(\$317,000)
	<u>\$634,000</u>
Transportation Partnership Account—State Appropriation	(\$32,643,000)
	<u>\$47,649,000</u>
Motor Vehicle Account—State Appropriation	(\$80,524,000)
	<u>\$92,903,000</u>
Motor Vehicle Account—Federal Appropriation	(\$445,933,000)
	<u>\$497,782,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	(\$300,000,000)
	<u>\$337,144,000</u>
Motor Vehicle Account—Private/Local Appropriation	(\$52,530,000)
	<u>\$74,115,000</u>
Connecting Washington Account—State Appropriation	(\$2,143,116,000)
	<u>\$1,950,666,000</u>
Special Category C Account—State Appropriation	(\$133,749,000)
	<u>\$143,917,000</u>
Multimodal Transportation Account—State Appropriation	(\$5,915,000)
	<u>\$10,511,000</u>
State Route Number 520 Corridor Account—State Appropriation	(\$400,000)
	<u>\$500,000</u>
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	(\$304,480,000)
	<u>\$325,464,000</u>
Move Ahead WA Account—State Appropriation	(\$590,313,000)
	<u>\$737,961,000</u>
Move Ahead WA Account—Federal Appropriation	(\$340,300,000)
	<u>\$373,155,000</u>
<u>JUDY Transportation Future Funding Program Account—State Appropriation</u>	<u>\$52,000,000</u>
<u>Model Toxics Control Stormwater Account—State</u>	<u>\$15,000,000</u>
TOTAL APPROPRIATION	(\$4,593,514,000)
	<u>\$4,832,695,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2023-4)) 2024-1 as developed ((April 21, 2023)) February 20, 2024, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ((of this act)), chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) February 20, 2024, Program - Highway Improvements

Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to ((~~\$1,737,009,000~~)) \$1,350,479,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to \$118,773,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account—state appropriation includes up to \$32,643,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(7) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) February 20, 2024;

(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of allotment modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(8) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(9) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of

reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(10) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(11) The legislature intends that any savings realized on the following projects will not be attributable to the application of practical design, retired risk, or unused contingency funding for the purposes of RCW 47.01.480:

- (a) I-5/Marvin Road/SR 510 Interchange (L1100110); and
- (b) I-82/EB WB On and Off Ramps (L2000123).

(12)(a) ~~(\$300,000,000)~~ \$337,114,000 of the coronavirus state fiscal recovery fund—federal appropriation, ~~(\$312,653,000)~~ \$110,439,000 of the motor vehicle account—federal appropriation, ~~(\$427,459,000)~~ \$576,827,000 of the move ahead WA account—state appropriation, and ~~(\$1,293,000)~~ \$8,329,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (OBI4001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030.

(b) The fish passage barrier removal program, in consultation with the office of innovative partnerships, shall explore opportunities to employ innovative delivery methods to ensure compliance with the court injunction including, but not limited to, public-private partnerships and batched contracts. It is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2023, and June 1, 2024.

(d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(e) During the 2023-2025 fiscal biennium, the department shall provide reports of the amounts of federal funding received for this project to the governor and transportation committees of the legislature by November 1, 2023, and semiannually thereafter.

(13)(a) ~~(\$6,000,000 of the move ahead WA account—state appropriation)~~ \$15,000,000 of the model toxics control stormwater account—state appropriation is provided solely for

the Stormwater Retrofits and Improvements project (L4000040). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$500,000,000 for this program.

(b) ~~(The appropriation in this subsection)~~ Of the amounts provided in this subsection, \$6,000,000 is provided solely for the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot (Seattle) project.

(c) The funding provided for stormwater retrofits and improvements must enhance stormwater runoff treatment from existing roads and infrastructure with an emphasis on green infrastructure retrofits. Projects must be prioritized based on benefits to salmon recovery and ecosystem health, reducing toxic pollution, addressing health disparities, and cost-effectiveness. The department of transportation must submit progress reports on its efforts to reduce the toxicity of stormwater runoff from existing infrastructure, recommendations for addressing barriers to innovative solutions, and anticipated demand for funding each fiscal biennium.

(14)(a) ~~(\$35,465,000)~~ \$25,067,000 of the connecting Washington account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(i) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of SR 3/SR 302;

(ii) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools; and

(iii) Intersections on the freight corridor are constructed at Romance Hill and Log Yard road.

(b) With respect to right-of-way acquisition and the construction of the SR 3 Freight Corridor project (T30400R), tribal consultation with the Suquamish tribe shall begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe shall continue throughout the duration of any funding or program decisions and proposed project approval.

(15) \$6,000,000 of the move ahead WA account—state appropriation and \$10,000,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area - Widening project (L4000017). Tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in

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addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe must continue throughout the duration of any funding program and proposed project approval.

(16)(a) ~~(\$84,500,000)~~ \$94,500,000 of the move ahead WA account—federal appropriation, \$137,500,000 of the move ahead WA account—private/local appropriation, and ~~(\$53,000,000)~~ \$43,000,000 of the move ahead WA account—state appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now 105 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000 over the 16-year move ahead WA investment program.

(b) The legislature recognizes the importance of the I-5/Mill Plain Boulevard project (L2000099) and intends to provide funding for reconstruction of the existing interchange in coordination with construction of the Interstate 5 bridge over the Columbia river.

(c) The department shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding sharing of revenues, use of revenues, and fiscal responsibilities of each state. Prior to finalizing any such agreement, the department shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the department shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(17) The legislature recognizes the importance of the US-12/Walla Walla Corridor Improvements project (T20900R) and intends to advance funding to provide matching funds if competitive federal funding is awarded for the final remaining four-lane section between Wallula and Nine Mile Hill. The department, in consultation with local governments in the vicinity, must pursue any federal funding available.

(18) \$2,642,000 of the move ahead WA account—state appropriation is provided solely for the US 101/Simdars Bypass project (L4000013).

(19) ~~(\$570,842,000)~~ \$338,512,000 of the connecting Washington account—state appropriation, ~~(\$155,000)~~ \$3,109,000 of the multimodal transportation account—state appropriation, ~~(\$26,537,000)~~ \$27,201,000 of the motor vehicle account—private/local appropriation, ~~(\$200,800,000)~~ \$178,543,000 of the move ahead WA account—federal appropriation, ~~(\$68,191,000)~~ \$36,370,000 of the move ahead WA account—state appropriation, and ~~(\$6,980,000)~~ \$211,131,000 of the motor vehicle account—federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall continue to

collaborate with the affected stakeholders as it implements the corridor construction and implementation plan for state route number 167 and state route number 509. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(c) The entire multimodal transportation account—state appropriation in this subsection is for:

(i) The design phase of the Puyallup to Tacoma multiuse trail along the state route number 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park; and

(ii) Segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

(20) \$2,213,000 of the connecting Washington account—state appropriation is provided solely for the SR 224/Red Mountain Vicinity Improvement project (L1000291). The department shall provide funding to the city of West Richland to complete the project within the project scope identified by the legislature and within the total amount provided by the legislature. The department shall not amend the project's scope of work to add pavement preservation on state route number 224 from the West Richland city limits to Antinori Road.

(21)(a) ~~(\$394,963,000)~~ \$409,667,000 of the connecting Washington account—state appropriation, ~~(\$400,000)~~ \$500,000 of the state route number 520 corridor account—state appropriation, and ~~(\$4,496,000)~~ \$5,592,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(b) Upon completion of the Montlake Phase of the West End project (~~current anticipated contract completion of 2023~~), the department shall sell or transfer that portion of the property not ~~(used)~~ necessary for ~~(permanent)~~ transportation ~~(improvements)~~ purposes, and shall initiate a process to convey ~~(that)~~ or transfer such portion of the surplus property to a subsequent owner.

(c) Of the amounts provided in this subsection, \$400,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities. It is the intent of the legislature to provide an additional \$600,000 for noise mitigation activities.

(d) Pursuant to section 2, chapter . . . (Senate Bill No. 6316), Laws of 2024, the department shall apply for a sales tax deferral for construction work on the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(22)(a) \$750,000 of the transportation partnership account—state appropriation is provided solely for the state route number 520 bridge replacement and HOV (8B11003) to implement signage for the state route number 520 interchange with Montlake Boulevard as a result of public engagement.

(b) The amounts appropriated in this subsection must be used for the following:

(i) Removal of an existing sign bridge on Montlake Boulevard, located immediately south of the Lake Washington Boulevard intersection;

(ii) Replacement of the sign bridge with a pole with mast arm structure bearing appropriate directional signs for northbound motorists, and installation of a similar, advance-notice sign pole and mast arm for northbound motorists on Montlake Blvd at 24th Avenue;

(iii) Repainting, as necessary, an existing sign bridge on the newly constructed Montlake lid with a color decided upon through a public process; and

(iv) Fabrication and installation of a third pole with mast arm structure on southbound Montlake Boulevard immediately north of the west bound state route number 520 bridge onramp with signs directing southbound motorists.

~~((21))~~ (23) \$450,000 of the motor vehicle account—state appropriation is provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and the Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along state route number 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.

~~((22))~~ (24) \$25,000,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. ~~(\$22,500,000)~~ \$23,750,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

~~((23) \$5,000,000)~~ (25) \$9,593,000 of the motor vehicle account—state appropriation, ~~(\$5,000,000)~~ \$552,000 of the connecting Washington account—state appropriation, and ~~(\$5,000,000)~~ \$209,000 of the move ahead WA account—state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI), specifically for design of, preliminary engineering, and right-of-way acquisition for the interchange and widening as a single project. The department must consider reserving portions of state route number 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.

(26) Prior to initiating new requests for qualifications for projects N00900R, N52600R, M00800R, L1000199, 0BP2001, and M00600R, the department shall convene an expert review panel to review the planned procurement methods for these projects. The panel must consist of up to five representatives of the contracting community with expertise in multiple procurement methods. The panel shall provide recommendations

on procurement methods to the office of financial management, the department, and the transportation committees of the legislature for each project stated in this subsection. After the panel's recommendations have been provided, the department may initiate new requests for qualifications incorporating the recommendations as appropriate.

(27) \$750,000 of the motor vehicle account—state appropriation is provided solely for the Grady Way Overpass at Rainier Avenue South I-405 BRT Access study (L1000333).

(28) \$2,972,000 of the connecting Washington account—state appropriation is provided solely for the I-5/North Lewis County Interchange project (L2000204) in the 2023-2025 fiscal biennium. It is the intent of the legislature that the total amounts provided for this project on the list in subsection (1) of this section be reduced in future biennia by \$2,500,000.

Sec. 305. 2023 c 472 s 306 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PRESERVATION—PROGRAM P**

<u>Carbon Emissions Reduction Account—State Appropriation</u>				<u>\$50,000,000</u>
Move Ahead WA	Account—State	Appropriation	(\$13,291,000)	<u>\$105,219,000</u>
Recreational Vehicle	Account—State	Appropriation	(\$793,000)	<u>\$769,000</u>
Transportation 2003	Account (Nickel	Account)—State	(\$48,759,000)	<u>\$70,411,000</u>
Motor Vehicle	Account—State	Appropriation	(\$135,073,000)	<u>\$154,960,000</u>
Motor Vehicle	Account—Federal	Appropriation	(\$534,350,000)	<u>\$577,602,000</u>
Motor Vehicle	Account—Private/Local	Appropriation	(\$12,000,000)	<u>\$17,010,000</u>
Connecting Washington	Account—State	Appropriation	(\$37,078,000)	<u>\$48,726,000</u>
State Route Number 520	Corridor	Account—State	(\$5,481,000)	<u>\$7,434,000</u>
Tacoma Narrows Toll Bridge	Account—State	Appropriation	(\$10,892,000)	<u>\$12,202,000</u>
Alaskan Way Viaduct Replacement Project	Account—	State	(\$12,000)	<u>\$1,662,000</u>
Interstate 405 and State Route Number 167 Express Toll Lanes	Account—State	Appropriation	(\$27,026,000)	<u>\$15,183,000</u>
Transportation Partnership	Account—State	Appropriation	(\$10,000,000)	<u>\$12,036,000</u>
TOTAL APPROPRIATION				(\$834,755,000) <u>\$1,073,214,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire

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transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2023-4)) 2024-1 as developed ((April 21, 2023)) February 20, 2024, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ((of this act)), chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) February 20, 2024, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The transportation partnership account—state appropriation includes up to \$10,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(5) \$22,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

(6) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

(7) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(8) The appropriations in this section include funding for starting planning, engineering, and construction of the Elwha

River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(9) \$25,000,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. ((~~\$22,500,000~~) \$23,750,000) from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(10) \$21,000 of motor vehicle account—state appropriation is provided solely for the implementation of chapter 54, Laws of 2023 (bridge jumping signs) (G2000114). ((If chapter 54, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.))

(11) \$154,500 of the move ahead Washington account—state appropriation is provided solely for SR 525 Bridge Replacement - Mukilteo (L2021084). The amount in this subsection must be transferred to the city of Mukilteo for purposes of community planning and business engagement.

(12) Beginning January 1, 2025, \$50,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to construct active transportation components on preservation projects (L4000057), consistent with the complete streets requirements under RCW 47.04.035. The department must provide a report that identifies the active transportation components funded with this appropriation to the transportation committees of the legislature by December 1, 2024.

(13) \$100,000,000 of the Move Ahead WA account—state appropriation is provided solely for additional preservation activities (L4000057).

Sec. 306. 2023 c 472 s 307 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION OPERATIONS—PROGRAM Q—
CAPITAL**

Motor Vehicle Account—State Appropriation	(\$9,738,000)
	<u>\$10,605,000</u>
Motor Vehicle Account—Federal Appropriation	(\$5,100,000)
	<u>\$12,226,000</u>
Motor Vehicle Account—Private/Local Appropriation	\$500,000
<u>Move Ahead WA Account—State Appropriation</u>	<u>\$611,000</u>
TOTAL APPROPRIATION	(\$15,338,000)
	<u>\$23,942,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$4,918,000)~~ \$5,547,000 of the motor vehicle account—state appropriation ~~((#)), \$8,830,000 of the motor vehicle account—federal appropriation, and \$500,000 of the motor vehicle account—private/local appropriation~~ are provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium.

(2) \$3,080,000 of the motor vehicle account—state appropriation is provided solely to construct pedestrian signals at nine locations on state route number 7 from 124th Street South to 189th Street South (0000YYYY).

(3) \$1,463,000 of the motor vehicle account—state appropriation is provided solely for the replacement of 22 existing traffic cameras and installation of 10 new traffic cameras, including five pole installation sites, on the Interstate 90 corridor between mileposts 34 and 82 (L2021144). The department shall consult with news media organizations to explore options to allow such organizations access to traffic camera feeds.

Sec. 307. 2023 c 472 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Carbon Emissions Reduction Account—State Appropriation	((\$74,027,000)) <u>\$335,127,000</u>
Move Ahead WA Account—State Appropriation	((\$17,114,000)) <u>\$32,728,000</u>
Puget Sound Capital Construction Account—State Appropriation	((\$341,969,000)) <u>\$386,196,000</u>
Puget Sound Capital Construction Account—Federal Appropriation	((\$33,698,000)) <u>\$81,826,000</u>
Puget Sound Capital Construction Account—Private/Local Appropriation	((\$1,081,000)) <u>\$2,150,000</u>
<u>Transportation 2003 Account (Nickel Account)—State Appropriation</u>	<u>\$472,000</u>
Transportation Partnership Account—State Appropriation	((\$7,442,000)) <u>\$9,705,000</u>
Connecting Washington Account—State Appropriation	((\$10,809,000)) <u>\$21,883,000</u>
Capital Vessel Replacement Account—State Appropriation	((\$46,818,000)) <u>\$33,242,000</u>
TOTAL APPROPRIATION	((\$532,958,000)) <u>\$903,329,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ~~((2023-2)) 2024-2~~ ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, Program - Washington State Ferries Capital Program (W).

(2) ~~(\$5,000,000)~~ \$24,260,000 of the Puget Sound capital construction account—state appropriation is provided solely for

emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(3) ~~(\$46,818,000)~~ \$33,242,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (L2000329). The amounts provided in this subsection are contingent upon the enactment of chapter 429, Laws of 2023.

(4) ~~((The legislature intends that funding will be provided in the 2025-2027 fiscal biennium))~~ Beginning January 1, 2025, \$42,000,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of the first hybrid electric Olympic class vessel (L2000329).

(5) \$1,500,000 of the Puget Sound capital construction account—state appropriation is provided solely for the Future Hybrid Electric Ferry Class Pre-Design study (L2021131) to advance procurement of a new class of vessel that will account for changes in technology, staffing, and system needs. The department shall initiate a vessel design to replace the aging Issaquah class ferries with a new automobile hybrid electric ferry intended to operate on the Vashon Southworth-Fauntleroy route. The ~~((legislature intends that part of the))~~ predesign study must include a review of the benefits and costs of constructing all future new vessels based on the same design. The review may also compare and contrast the benefits and costs of ((a 144-vehicle capacity vessel)) utilizing the existing hybrid electric Olympic class vessel design with a 124-vehicle capacity vessel.

~~(((5)))~~ (6) \$8,032,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C). Of this amount, \$3,032,000 must be held in unallotted status until Washington state ferries has consulted with the office of the chief information officer on the project scope and integration capabilities of the reservation system with existing Good to Go! and ORCA next generation products, and reported results to the office of financial management and the transportation committees of the legislature.

~~(((6)))~~ (7) \$125,000 of the Puget Sound capital construction account—state appropriation and \$125,000 of the Puget sound capital construction account—federal appropriation are provided solely for development of a terminal wait times information system (998609A). Washington state ferries must consult with the office of the chief information officer on a technology solution for automated vehicle detection, and report the project scope, along with office of the chief information officer recommendations, to the office of financial management and the transportation committees of the legislature by December 1, 2024.

~~(((7)))~~ (8) The transportation partnership account—state appropriation includes up to \$7,195,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

~~(((8)))~~ (9) For the purposes of ferry and terminal electrification, the department must apply to the department of ecology for additional competitive grant funds available from Volkswagen settlement funds, and report on the status of the grant application by December 1, 2023.

~~(((9)))~~ (10) For the 2023-2025 fiscal biennium, the marine division shall provide to the office of financial management and the transportation committees of the legislature a report for ferry capital projects in a manner consistent with past practices as specified in section 308, chapter 186, Laws of 2022.

(11) Beginning January 1, 2025, \$30,145,000 of the carbon emissions reduction account—state appropriation is provided solely for Electric Ferry - Conversion (G2000084).

(12) Beginning January 1, 2025, \$125,000,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of hybrid electric vessels (L2021073).

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(13) Beginning January 1, 2025, \$21,100,000 of the carbon emissions reduction account—state appropriation is provided solely for Seattle Bainbridge terminal electrification (L2021087).

(14) Beginning January 1, 2025, \$40,000,000 of the carbon emissions reduction account—state appropriation is provided solely for hybrid vessel conversions (L1000339).

(15) Beginning January 1, 2025, \$2,855,000 of the carbon emissions reduction account—state appropriation is provided solely for terminal electrification (L1000341).

Sec. 308. 2023 c 472 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Carbon Emissions Reduction Account—State Appropriation	((\$104,300,000))
	<u>\$87,800,000</u>
Essential Rail Assistance Account—State Appropriation	((\$676,000))
	<u>\$762,000</u>
<u>Motor Vehicle Account—State Appropriation</u>	<u>\$697,000</u>
<u>Move Ahead WA Account—State Appropriation</u>	<u>\$1,500,000</u>
Move Ahead WA Flexible Account—State Appropriation	((\$35,000,000))
	<u>\$33,500,000</u>
<u>Multimodal Transportation Account—Private/Local Appropriation</u>	<u>\$12,000</u>
Transportation Infrastructure Account—State Appropriation	((\$10,369,000))
	<u>\$11,271,000</u>
Multimodal Transportation Account—State Appropriation	((\$63,334,000))
	<u>\$101,403,000</u>
Multimodal Transportation Account—Federal Appropriation	((\$18,882,000))
	<u>\$25,903,000</u>
TOTAL APPROPRIATION	((\$232,561,000))
	<u>\$262,848,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Rail Program (Y).

(2)(a) \$2,030,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than 15 years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(b) (~~(\$7,970,000)~~) \$5,650,000 of the transportation infrastructure account—state appropriation is provided solely for new FRIB program loans recommended by the department for 2024 supplemental transportation appropriations. The department shall submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2023.

(c) The department may change the terms of existing loans in the essential rail assistance account for repayment of loans, including the repayment schedule and rate of interest, for a period

of up to 15 years for any recipient with a total loan value in the program of over 10 percent as of June 30, 2023.

(3) (~~(\$7,566,836)~~) \$7,567,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$369,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely for final reimbursement to Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects.

(5) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2024, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(6) \$50,000,000 of the carbon emissions reduction account—state appropriation is provided solely for state match contributions to support the department's application for federal grant opportunities for a new ultra high-speed ground transportation corridor. These funds are to remain in unallotted status and are available only upon award of federal funds. The department must provide periodic grant application updates to the transportation committees of the legislature, as well as anticipated state match estimates for successful grants.

(7) (~~(\$33,500,000)~~) \$29,500,000 of the move ahead WA flexible account—state appropriation is provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L4000079). Up to \$433,000 of the amount in this subsection may be used for management and oversight of operation and maintenance activities.

(8) (~~(\$15,000,000)~~) \$19,990,000 of the multimodal transportation account—federal appropriation is provided solely for the rehabilitation of the Salmon Bay drawbridge (752010A) to ensure the efficient movement of freight and passenger trains.

(9) \$6,300,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission drayage truck demonstration project (L1000324) at Northwest Seaport Alliance facilities.

(10) \$14,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission shore power infrastructure demonstration project at Northwest Seaport Alliance facilities (L1000325). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

(11) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund the replacement of two Tacoma rail diesel-electric switcher locomotives with zero emission battery-electric switcher locomotives and to install on-site charging equipment at a Tacoma rail facility (L1000327). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

(12) \$150,000 of the multimodal transportation account—state appropriation is provided solely for the application of durable markings along state route number 906 to create up to 20 parking spaces for larger vehicles, including trucks (L1000336).

(13) \$26,500,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification

competitive grants (L2021182). ~~((To be eligible to receive state funds under this section, a))~~ All public ports are eligible to receive funds under this subsection. A port seeking to use funds under this subsection to install shore power must ~~((first))~~ adopt a policy that requires vessels that dock at the port facility to use shore power if such vessel is capable of using such power and when such power is available at the port facility. Of the amounts provided in this subsection, \$11,500,000 is for Puyallup tribal port electrification projects, which are exempt from the shore power policy requirements under this subsection.

(14) Beginning January 1, 2025, \$8,500,000 of the carbon emissions reduction account—state appropriation is provided solely for Puyallup tribal port electrification projects, which are exempt from the shore power policy requirements under this subsection.

(15) \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Bremerton (L1000337), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

~~((15))~~ (16) \$500,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Anacortes (L1000338), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

(17) \$25,000,000 of the carbon emissions reduction account—state appropriation is provided solely for ultra high speed rail (L2021074). The legislature intends to provide \$50,000,000 for the project in the 2025-2027 fiscal biennium, and that it be changed accordingly on the LEAP transportation documents referenced in this section.

Sec. 309. 2023 c 472 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

Carbon Emissions Reduction Account—State Appropriation	(\$21,000,000)
	<u>\$50,162,000</u>
Climate Active Transportation Account—State Appropriation	(\$157,463,000)
	<u>\$169,442,000</u>
Freight Mobility Investment Account—State Appropriation	(\$21,098,000)
	<u>\$21,847,000</u>
Freight Mobility Multimodal Account—State Appropriation	(\$22,728,000)
	<u>\$27,216,000</u>
Highway Infrastructure Account—State Appropriation	(\$793,000)
	<u>\$1,060,000</u>
Highway Infrastructure Account—Federal Appropriation	(\$1,600,000)
	<u>\$1,500,000</u>
Move Ahead WA Account—State Appropriation	(\$106,707,000)
	<u>\$112,540,000</u>
((Move Ahead WA Account Federal Appropriation	\$10,000,000))
Move Ahead WA Flexible Account—State Appropriation	(\$29,000,000)
	<u>\$34,500,000</u>
((Transportation Partnership Account—State Appropriation	\$500,000))

Motor Vehicle Account—State Appropriation	(\$36,785,000)
	<u>\$47,410,000</u>
Motor Vehicle Account—Federal Appropriation	(\$103,553,000)
	<u>\$129,698,000</u>
Connecting Washington Account—State Appropriation	(\$99,032,000)
	<u>\$117,410,000</u>
Multimodal Transportation Account—State Appropriation	(\$73,818,000)
	<u>\$101,552,000</u>
TOTAL APPROPRIATION	(\$684,077,000)
	<u>\$814,337,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ February 20, 2024, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) ~~(\$34,673,000)~~ \$47,707,000 of the multimodal transportation account—state appropriation and ~~(\$37,563,000)~~ \$43,058,000 of the climate active transportation account—state appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000335). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) ~~(\$19,137,000)~~ \$31,553,000 of the motor vehicle account—federal appropriation, ~~(\$38,915,000)~~ \$45,399,000 of the climate active transportation account—state appropriation, and ~~(\$12,844,000)~~ \$21,157,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000334). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(c) For future rounds of grant selection, the department must reevaluate the criteria to increase geographic diversity of jurisdictions consistent with the requirements of the healthy environment for all (HEAL) act.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, and December 1, 2024, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program and the Sandy Williams connecting communities grant program.

(4) ~~(\$6,875,000)~~ \$10,906,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) ~~(\$36,640,000)~~ \$46,580,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will select projects as part of its update of the state freight plan, in consultation with the freight mobility strategic investment board and other stakeholders.

(6) \$23,750,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal

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surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in section 305 or 306 (~~of this act~~), chapter 472, Laws of 2023 is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section 305 or 306 for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program, the total estimated cost of program administration, and recommendations for continuing the pilot program is due to the governor and transportation committees of the legislature by December 1, 2024. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(7) (~~(\$128,400,000)~~) \$132,400,000 of the move ahead WA account—state appropriation and (~~(\$19,500,000)~~) \$25,000,000 of the move ahead WA flexible account—state appropriation are provided solely for new move ahead WA road and highway projects listed in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Local Programs Program (Z).

(a) For projects funded in this subsection, the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Local Programs Program (Z), prioritizing projects first by project readiness.

(i) In instances when projects listed in the LEAP transportation documents referenced in (a) of this subsection are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(ii) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(b) Of the amounts provided in this subsection, \$21,000,000 of the move ahead WA account—state appropriation is provided solely for three roundabouts to be constructed on state route number 507 in partnership with local authorities. The roundabout at Vail is with Thurston county, the roundabout at Bald Hills is with the city of Yelm, and the roundabout at state route number 702 is with Pierce county. The department is to work cooperatively with each local jurisdiction to construct these facilities within department rights-of-way. The department must provide all project predesign and design information developed to date to the local jurisdictions and have a project

implementation agreement in place with each local jurisdiction within 180 calendar days of the effective date of this act. The implementation agreement may provide full control for the local authority to construct the project. Once the roundabouts are completed, the operations and maintenance of the roundabouts are the responsibility of the department.

(8) \$39,185,000 of the climate active transportation account—state appropriation and \$3,000,000 of the move ahead WA flexible account—state appropriation are provided solely for move ahead WA pedestrian and bike projects listed in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Local Programs Program (Z). For projects funded in this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) February 20, 2024, Program - Local Programs Program (Z), prioritizing projects first by tier then by project readiness.

(a) In instances when projects listed in the LEAP transportation document referenced in this subsection (8) of this section are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(b) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(9) \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs.

(10) \$25,000,000 of the climate active transportation account—state appropriation is provided solely for the Sandy Williams connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations.

(11) \$14,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the Guemes Ferry Boat Replacement project (L4000124).

(12) \$6,500,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be used for, but

are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

- (a) Sustainable aviation fuel (SAF);
- (b) Hydrogen; and
- (c) Battery electric energy storage mechanisms.

(13) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123) ~~((and the Aurora Avenue North Safety Improvements project (L4000154)))~~, as described in section 911(18) and (19) ~~((of this act))~~, chapter 472, Laws of 2023.

(14) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of planning and community development to update and add to the 2020 I-5 Lid Feasibility Study with additional test cases with ramp changes and removals in downtown Seattle and alternative assumptions with regards to parking, expansion of Freeway Park, affordable housing, and commercial real estate (L2021140). The Seattle office of planning and community development shall conduct ongoing community engagement with underrepresented constituencies to support the technical work of this study and raise public awareness of opportunities of I-5 lids. Focus should be given to low-income households living and working in the I-5 lid study areas in central Seattle.

(15) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2024.

(16)(a)(i) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish a program for providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts as described under (a)(iii)(A) of this subsection, and \$2,000,000 is for rebate amounts as described under (a)(iii)(B) of this subsection.

(ii) To qualify for and use the rebate under this subsection, a person must be a resident of Washington state and purchase an e-bike and qualifying equipment and services, if any, from a qualifying retailer in this state. Qualifying equipment and services must be purchased as part of the same transaction as the e-bike.

(iii)(A) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(B) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(C) No more than one rebate may be awarded per household.

(iv)(A) The department must establish application procedures for e-bike retailers to participate in the rebate program, and

application and award procedures for applicants to participate in the program. If an applicant qualifies for a rebate amount and there is sufficient funds to award the applicant with the appropriate rebate amount, the department must provide the qualifying individual the rebate amount in a format that can be redeemed at the time of purchase at a qualifying retailer.

(B) An applicant must provide contact information, including a physical address, email address, and phone number, and demographic information, including the applicant's age, gender, race, and ethnicity, to the department on a form provided by the department at the time of applying for the rebate. The department may share or provide access to such information with the University of Washington to provide the University of Washington an opportunity to ask program applicants and recipients to fill out a survey collecting information only to the extent to inform its report described under (d) of this subsection.

(v) A qualifying retailer must register with the department before participating in the rebate program. A qualifying retailer must:

(A) Verify the identity of the qualifying individual at the time of purchase; and

(B) Calculate and apply the rebate at the time of purchase.

(vi) The department must reimburse a qualifying retailer that accepts a rebate from a qualifying individual no later than 30 days after the rebate is redeemed.

(vii) For purposes of this subsection (16)(a):

(A) "E-bike" means an electric assisted bicycle as defined in RCW 46.04.169, but does not include mountain bikes.

(B) "Qualifying equipment and services" means a bicycle helmet, safety vest, bicycle light, or bicycle lock, and any maintenance or other services agreed upon by the qualifying retailer and qualifying individual at the time of purchase.

(C) "Qualifying retailer" means a retail business establishment with one or more physical retail locations in this state that provides on-site e-bike sales, service, and repair and has registered with the department to participate in the rebate program established under this subsection.

(b) For fiscal year 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish an e-bike lending library and ownership grant program. The department may accept grant applications from other state entities, local governments, and tribes that administer or plan to administer an e-bike lending library or ownership program for their employees for commute trip reduction purposes. The department may also accept grant applications from nonprofit organizations or tribal governments that serve persons who are low-income or reside in overburdened communities and that administer or plan to administer an e-bike lending library or ownership program for qualifying persons. Grant recipients must report program information and participation data to the University of Washington to inform its report described under (d) of this subsection.

(c) It is the intent of the legislature that funding provided in (a) and (b) of this subsection continue to be appropriated in the 2025-2027 and 2027-2029 fiscal biennia.

(d) Of the amounts provided in this subsection (16), \$90,000 is for the department to contract with the University of Washington's sustainable transportation lab to publish a general policy brief that provides innovative e-bike rebate and lending library or ownership grant program models and recommendations, a report on survey results based on data and demographic information collected under the e-bike rebate program established in (a) of this subsection, and a report on program information and data collected under the e-bike lending library and ownership grant program established in (b) of this

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subsection. An initial brief and report must be submitted to the transportation committees of the legislature by July 1, 2024, with the final policy brief and report due to the transportation committees of the legislature by July 1, 2025.

(e) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(17) ~~(\$21,098,000)~~ \$21,847,000 of the freight mobility investment account—state appropriation and ~~(\$22,728,000)~~ \$27,216,000 of the freight mobility multimodal account—state appropriation are provided solely for freight mobility strategic investment board projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(18) \$4,150,000 of the motor vehicle account—state appropriation is provided solely for matching funds for federal funds to reconstruct Grant county and Adams county bridges as part of the Odessa groundwater replacement program (L1000322).

(19) \$9,240,000 of the connecting Washington account—state appropriation is provided solely for the Aberdeen US 12 Highway-Rail Separation project (L1000331).

(20) ~~(\$750,000 of the motor vehicle account state appropriation is provided solely for the Grady Way overpass at Rainier Avenue South I-405 BRT Access study (L1000333).~~

~~(21))~~ The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ((April 21, 2023)) February 20, 2024;

(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of allotment modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(21) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to assist local jurisdictions in addressing emergent issues related to safety for pedestrians and bicyclists (LXXXPBF). Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium. Reporting may be done in conjunction with the transportation operations division.

(22) Beginning January 1, 2025, \$29,162,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP

Transportation Document 2024-2 ALL PROJECTS as developed February 20, 2024:

- (a) North Aurora Safety Improvements (L4000154);
- (b) Maple Valley Pedestrian Bridge Over SR 169 (L2021093);
- (c) North Broadway Pedestrian Bridge (L2021082);
- (d) State Route 547 Pedestrian and Bicycle Safety Trail (Kendall Trail) (L4000144);
- (e) Mountains to Sound Greenway "Bellevue Gap" (L4000152);
- (f) Olympic Discovery Trail/US 101 Safety (L2021192);
- (g) 72nd Ave & Washington Ave Active Transportation Components (L2021194);
- (h) Bluff Trail Hood River to White Salmon (L2021199);
- (i) Columbia Heights Safety Improvements (L2021195);
- (j) Eustis Hunt and 216th Sidewalks (L2021083);
- (k) La Center Pac. Hwy Shared Use Path (L2021196);
- (l) SR 240/Aaron Dr Complete Streets Improvements (L2021193);
- (m) Wallace Kneeland Blvd Active Transportation (L2021198);
- (n) Wide Hollow Creek Active Transportation Improvements (L2021200);
- (o) Yakima Greenway Active Transportation (L2021201); and
- (p) Cowiche Canyon Trail (G2000010).

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2023 c 472 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State Appropriation	(((\$1,101,000))
	<u>\$225,000</u>
Connecting Washington Account—State Appropriation	(((\$11,951,000))
	<u>\$3,463,000</u>
Special Category C Account—State Appropriation	(((\$922,000))
	<u>\$452,000</u>
Highway Bond Retirement Account—State Appropriation	(((\$1,470,291,000))
	<u>\$1,413,786,000</u>
Ferry Bond Retirement Account—State Appropriation	\$4,616,000
Transportation Improvement Board Bond Retirement Account—State Appropriation	(((\$10,895,000))
	<u>\$10,305,000</u>
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation	(((\$28,606,000))
	<u>\$28,262,000</u>
Toll Facility Bond Retirement Account—State Appropriation	\$76,372,000
TOTAL APPROPRIATION	(((\$1,604,754,000))
	<u>\$1,537,481,000</u>

Sec. 402. 2023 c 472 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State Appropriation	((7)) <u>(5)</u>
((\$220,000))	
<u>\$47,000</u>	
((Transportation Improvement Account—State Appropriation	
\$20,000))	
Connecting Washington Account—State Appropriation	((9)) <u>(7)</u>
((\$2,391,000))	
<u>\$686,000</u>	
Special Category C Account—State Appropriation	((10)) <u>(8)</u>
((\$183,000))	
<u>\$89,000</u>	
TOTAL APPROPRIATION	((\$2,814,000))
	<u>\$822,000</u>

Sec. 403. 2023 c 472 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties
 ((~~\$465,354,000~~))
\$461,954,000

Multimodal Transportation Account—State Appropriation: For distribution to cities and counties \$26,786,000

Motor Vehicle Account—State Appropriation: For distribution to cities and counties \$23,438,000

TOTAL APPROPRIATION ((~~\$515,578,000~~))
\$512,178,000

Sec. 404. 2023 c 472 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers
 ((~~\$1,969,182,000~~))
\$1,955,782,000

Sec. 405. 2023 c 472 s 405 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers
 ((~~\$246,480,000~~))
\$253,180,000

Sec. 406. 2023 c 472 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

~~(1)((a) Pilotage Account—State Appropriation: For transfer to the Multimodal Transportation Account—State \$200,000~~

~~(b) The amount transferred in this subsection represents partial repayment of prior biennium transfers to cover self insurance liability premiums.~~

~~(2)) Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$175,000,000~~

~~((3) Connecting Washington Account—State Appropriation: For transfer to the Move Ahead WA Account—State \$200,000,000~~

~~(4)) (2) Electric Vehicle Account—State appropriation: For transfer to the Move Ahead WA Flexible Account—State \$29,200,000~~

~~((5)) (3) Electric Vehicle Account—State Appropriation: For transfer to the Multimodal Transportation Account—State \$23,330,000~~

~~((6)) (4) Washington State Aviation Account—State Appropriation: For transfer to the Aeronautics Account—State \$150,000~~

~~((7)) (5) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Active Transportation Account—State \$178,885,000~~

~~((8)) (6) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Transit Programs Account—State \$408,000,000~~

~~((9)) (7) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State \$4,200,000~~

~~((10)) (8) Move Ahead WA Flexible Account—State Appropriation: For transfer to the Move Ahead WA Account—State \$100,000,000~~

~~((11)) (9) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$25,000,000~~

~~((12)) (10) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State (\$77,000,000)~~

~~((13)) (11)(a) Transportation Partnership Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State \$6,611,000~~

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases. An equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

~~((14) Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State \$1,500,000~~

~~((15)) (12) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State \$4,844,000~~

~~((16)) (13) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State \$8,511,000~~

~~((17)) (14) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State \$4,844,000~~

~~((18)) (15) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State \$9,688,000~~

~~((19)) (16)(a) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$1,000,000~~

(b) The transfer in this subsection is to repay moneys loaned to the state route number 520 civil penalties account in the 2019-2021 fiscal biennium.

~~((20)) (17) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State \$560,000~~

~~((21)) (18)(a) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State \$29,000,000~~

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the use of bonding in the connecting Washington account.

~~((22)) (19) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State \$14,670,000~~

~~((23)) (20) Multimodal Transportation Account—State Appropriation: For transfer to the Highway Safety Account—State \$3,000,000~~

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~~((24))~~ (21) Multimodal Transportation Account—State
Appropriation: For transfer to the Motor Vehicle Account—State
(((\$15,000,000))
\$30,000,000

~~((25))~~ (22) Multimodal Transportation Account—State
Appropriation: For transfer to the Freight Mobility Multimodal
Account—State \$8,511,000

~~((26))~~ (23) Multimodal Transportation Account—State
Appropriation: For transfer to the Move Ahead WA Flexible
Account—State \$11,790,000

~~((27))~~ (24) Multimodal Transportation Account—State
Appropriation: For transfer to the Puget Sound Capital
Construction Account—State ~~(((\$175,000,000))~~
\$173,000,000

~~((28))~~ (25) Multimodal Transportation Account—State
Appropriation: For transfer to the Puget Sound Ferry Operations
Account—State ~~(((\$38,500,000))~~
\$88,500,000

~~((29))~~ (26) Multimodal Transportation Account—State
Appropriation: For transfer to the Regional Mobility Grant
Program Account—State \$27,679,000

~~((30))~~ (27) Multimodal Transportation Account—State
Appropriation: For transfer to the Rural Mobility Grant Program
Account—State \$12,223,000

~~((31))~~ (28) Multimodal Transportation Account—State
Appropriation: For transfer to the State Patrol Highway
Account—State \$59,000,000

~~((32))~~ (29)(a) Alaskan Way Viaduct Replacement Project
Account—State Appropriation: For transfer to the Transportation
Partnership Account—State \$47,899,000

(b) \$22,899,000 of the amount transferred in this subsection
represents repayment of debt service incurred for the construction
of the SR 99/Alaskan Way Viaduct Replacement project
(809936Z).

~~((33))~~ (30) Tacoma Narrows Toll Bridge Account—State
Appropriation: For transfer to the Motor Vehicle Account—State
\$543,000

~~((34))~~ (31)(a) General Fund Account—State Appropriation:
For transfer to the State Patrol Highway Account—State
\$625,000

(b) The state treasurer shall transfer the funds only after
receiving notification from the Washington state patrol under
section 207 ~~((of this act)), chapter 472, Laws of 2023.~~

~~((35))~~ (32) Puget Sound Ferry Operations Account—State
Appropriation: For transfer to the Puget Sound Capital
Construction Account—State \$121,828,000

~~((36))~~ (33) Move Ahead WA Account—State Appropriation:
For transfer to the Puget Sound Ferry Operations Account—State
\$120,000,000

(34) Highway Safety Account—State Appropriation: For
transfer to the Motor Vehicle Account—State \$1,000,000

(35) Recreational Vehicle Account—State Appropriation: For
transfer to the Motor Vehicle Account—State \$3,000,000

(36) Motor Vehicle Account—State Appropriation: For
transfer to the Puget Sound Ferry Operations Account—State
\$3,500,000

(37) Multimodal Transportation Account—State
Appropriation: For transfer to the Pilotage Account—State
\$190,000

(38) Advance Right-Of-Way Revolving Fund—State
Appropriation: For transfer to the JUDY Transportation Future
Funding Program Account—State \$40,000,000

Sec. 407. 2023 c 472 s 407 (uncodified) is amended to read as
follows:

**FOR THE STATE TREASURER—BOND
RETIREMENT AND INTEREST, AND ONGOING BOND
REGISTRATION AND TRANSFER CHARGES: FOR
DEBT TO BE PAID BY STATUTORILY PRESCRIBED
REVENUE**

Toll Facility Bond Retirement Account—Federal
Appropriation ~~(((\$194,241,000))~~
\$157,240,000

Toll Facility Bond Retirement Account—State Appropriation
~~(((\$25,372,000))~~
\$26,562,000

TOTAL APPROPRIATION ~~(((\$219,613,000))~~
\$183,802,000

The appropriations in this section are subject to the following
conditions and limitations: \$35,250,000 of the toll facility bond
retirement account—federal appropriation may be used to prepay
certain outstanding bonds if sufficient debt service savings can be
obtained.

IMPLEMENTING PROVISIONS

Sec. 501. 2023 c 472 s 601 (uncodified) is amended to read as
follows:

**MANAGEMENT OF TRANSPORTATION FUNDS
WHEN THE LEGISLATURE IS NOT IN SESSION**

(1) The 2005 transportation partnership projects or
improvements and 2015 connecting Washington projects or
improvements are listed in the LEAP Transportation Document
~~((2023-1))~~ 2024-1 as developed ~~((April 21, 2023))~~ February 20,
2024, which consists of a list of specific projects by fund source
and amount over multiple biennia. Current fiscal biennium
funding for each project is a line-item appropriation, while the
outer year funding allocations represent a 16-year plan. The
department of transportation is expected to use the flexibility
provided in this section to assist in the delivery and completion of
all transportation partnership account and connecting Washington
account projects on the LEAP transportation document
referenced in this subsection. For the 2023-2025 project
appropriations, unless otherwise provided in this act, the director
of the office of financial management may provide written
authorization for a transfer of appropriation authority between
projects funded with transportation partnership account
appropriations or connecting Washington account appropriations
to manage project spending and efficiently deliver all projects in
the respective program under the following conditions and
limitations:

(a) Transfers may only be made within each specific fund
source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the
reduction of the scope of a project or be made to support increases
in the scope of a project;

(c) Transfers from a project may be made if the funds
appropriated to the project are in excess of the amount needed in
the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the
applicable project list;

(e) Transfers to a project may not occur if that project is a
programmatic funding item described in broad general terms on
the applicable project list without referencing a specific state
route number;

(f) Transfers may not be made while the legislature is in
session;

(g) Transfers to a project may not be made with funds
designated as attributable to practical design savings as described
in RCW 47.01.480;

(h) Except for transfers made under (l) of this subsection,
transfers may only be made in fiscal year 2024;

(i) The total amount of transfers under this section may not exceed \$50,000,000;

(j) Except as otherwise provided in (l) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per fiscal biennium;

(k) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and

(l) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount to a single project does not exceed \$250,000 or 10 percent of the total project per fiscal biennium, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and address any concerns raised by the chairs and ranking members of the transportation committees.

(5) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

Sec. 502. 2023 c 472 s 606 (uncodified) is amended to read as follows:

TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) February 20, 2024, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

Sec. 503. 2023 c 472 s 609 (uncodified) is amended to read as follows:

LOCAL PARTNER COOPERATIVE AGREEMENTS

(1) If a transportation project, where the Washington state department of transportation is the lead and the project is scheduled to be delivered or completed in the 2023-2025 fiscal biennium as shown on the LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) February 20, 2024, is in jeopardy of being delayed because the department is unable to deliver or complete the project within

the 2023-2025 fiscal biennium and other local jurisdictions are able to deliver or complete the work, the department must coordinate with the appropriate local jurisdictions to determine if a potential local partner is ready, willing, and able to execute delivery and completion of the project within the 2023-2025 fiscal biennium.

(2) The department must compile a list of projects under this section, including the timing under which the local partner agency can deliver or complete the projects within the 2023-2025 and 2025-2027 fiscal biennia. The department must submit the compiled list of projects to the governor and the transportation committees of the legislature by November 1, 2023.

MISCELLANEOUS 2023-2025 FISCAL BIENNIUM

Sec. 601. RCW 46.68.060 and 2023 c 472 s 705 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, chapters 46.72 and 46.72A RCW, and RCW 47.04.410. During the 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account, the motor vehicle fund, and the state patrol highway account.

Sec. 602. RCW 46.68.300 and 2023 c 472 s 708 and 2023 c 167 s 8 are each reenacted and amended to read as follows:

The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been ((approved)) recommended by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. During the ((2019-2021 and)) 2021-2023 and 2023-2025 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

Sec. 603. RCW 36.79.020 and 1997 c 81 s 2 are each amended to read as follows:

There is created in the motor vehicle fund the rural arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the rural arterial trust account shall be expended for (1) the construction and improvement of county rural arterials and collectors, (2) the construction of replacement bridges funded by the federal bridge replacement program on access roads in rural areas, and (3) those expenses of the board associated with the administration of the rural arterial program. During the 2023-2025 fiscal biennium, account funds may also be used for staffing and other administrative expenses related to assisting local governments individually and collectively in qualifying for additional federal funds.

Sec. 604. RCW 82.70.020 and 2015 3rd sp.s. c 44 s 413 are each amended to read as follows:

(1) Employers in this state who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to their own or other employees for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, ((2024)) 2025, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of employees for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car

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sharing, or for using nonmotorized commuting, not to exceed ~~((sixty dollars))~~ \$60 per employee per fiscal year.

(2) Property managers who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to persons employed at a worksite in this state managed by the property manager for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, 2024, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of these persons for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed ~~((sixty dollars))~~ \$60 per person per fiscal year.

(3) The credit under this section is equal to the amount paid to or on behalf of each employee multiplied by ~~((fifty))~~ 50 percent, but may not exceed ~~((sixty dollars))~~ \$60 per employee per fiscal year. No refunds may be granted for credits under this section.

(4) A person may not receive credit under this section for amounts paid to or on behalf of the same employee under both chapters 82.04 and 82.16 RCW.

(5) A person may not take a credit under this section for amounts claimed for credit by other persons.

Sec. 605. RCW 82.70.040 and 2022 c 182 s 311 are each amended to read as follows:

(1)(a) The department must keep a running total of all credits allowed under RCW 82.70.020 during each fiscal year. The department may not allow any credits that would cause the total amount allowed to exceed \$2,750,000 in any fiscal year.

(b) If the total amount of credit applied for by all applicants in any year exceeds the limit in this subsection, the department must ratably reduce the amount of credit allowed for all applicants so that the limit in this subsection is not exceeded. If a credit is reduced under this subsection, the amount of the reduction may not be carried forward and claimed in subsequent fiscal years.

(2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

(b) Through June 30, 2005, a person with taxes equal to or in excess of the credit under RCW 82.70.020, and therefore not subject to the limitation in (a) of this subsection, may elect to defer tax credits for a period of not more than three years after the year in which the credits accrue. For credits approved by the department through June 30, 2015, the approved credit may be carried forward and used for tax reporting periods through December 31, 2016. Credits approved after June 30, 2015, must be used for tax reporting periods within the calendar year for which they are approved by the department and may not be carried forward to subsequent tax reporting periods. Credits carried forward as authorized by this subsection are subject to the limitation in subsection (1)(a) of this section for the fiscal year for which the credits were originally approved.

(3) No person may be approved for tax credits under RCW 82.70.020 in excess of \$100,000 in any fiscal year. This limitation does not apply to credits carried forward from prior years under subsection (2)(b) of this section.

(4) No person may claim tax credits after June 30, ~~((2024))~~ 2025.

Sec. 606. RCW 82.70.900 and 2023 c 374 s 18 are each amended to read as follows:

This chapter expires July 1, ~~((2024))~~ 2025.

NEW SECTION. Sec. 607. (1) This section is the tax preference performance statement for section 604, chapter . . . , Laws of 2024 (section 604 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of

action by any party or be used to determine eligibility for the preferential tax treatment.

(2) The tax preference performance statement in section 413, chapter 44, Laws of 2015 3rd sp. sess. applies to the expansion of the tax preference in section 604 of this act.

Sec. 608. 2022 c 182 s 503 (uncodified) is amended to read as follows:

~~((Sections 311 and))~~ Section 403 of this act ((expire)) expires July 1, 2024.

Sec. 609. RCW 46.68.170 and 2013 c 306 s 705 are each amended to read as follows:

There is hereby created in the motor vehicle fund the RV account. All moneys hereafter deposited in said account shall be used by the department of transportation for the construction, maintenance, and operation of recreational vehicle sanitary disposal systems at safety rest areas in accordance with the department's highway system plan as prescribed in chapter 47.06 RCW. ~~During the ((2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the RV account to the motor vehicle fund such amounts as reflect the excess fund balance of the RV account to accomplish the purposes identified in this section))~~ 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the RV account to the motor vehicle fund.

Sec. 610. RCW 47.12.244 and 2013 c 306 s 714 are each amended to read as follows:

There is created the "advance right-of-way revolving fund" in the custody of the treasurer, into which the department is authorized to deposit directly and expend without appropriation:

(1) An initial deposit of ~~((ten million dollars))~~ \$10,000,000 from the motor vehicle fund included in the department of transportation's 1991-93 budget;

(2) All moneys received by the department as rental income from real properties that are not subject to federal aid reimbursement, except moneys received from rental of capital facilities properties as defined in chapter 47.13 RCW; and

(3) Any federal moneys available for acquisition of right-of-way for future construction under the provisions of section 108 of Title 23, United States Code.

During the ~~((2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the advance right-of-way revolving fund to the motor vehicle account [fund] amounts as reflect the excess fund balance of the advance right-of-way revolving fund))~~ 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the advance right-of-way revolving fund to the JUDY transportation future funding program account.

NEW SECTION. Sec. 611. A new section is added to 2023 c 472 (uncodified) to read as follows:

(1) The transportation carbon emissions reduction account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account are intended to affect reductions in transportation sector carbon emissions through a variety of carbon reducing investments. Such investments may include, but are not limited to: Transportation alternatives to single occupancy passenger vehicles; reductions in single occupancy passenger vehicle miles traveled; reductions in per mile emissions in vehicles, including through the funding of alternative fuel infrastructure and incentive programs; and emissions reduction programs for freight transportation, including motor vehicles and rail, as well as for ferries and other maritime and port activities. Expenditures from the account may be made only for transportation carbon emissions reducing purposes and may not be made for highway purposes authorized under the 18th Amendment of the Washington state Constitution,

other than as specified in this section, and must be made in accordance with subsection (2) of this section. It is the legislature's intent that expenditures from the account used to reduce carbon emissions be made with the goal of achieving equity for communities that historically have been omitted or adversely impacted by past transportation policies and practices.

(2) Appropriations in an omnibus transportation appropriations act from the transportation carbon emissions reduction account must be made exclusively to fund the following activities:

- (i) Active transportation;
- (ii) Transit programs and projects;
- (iii) Alternative fuel and electrification;
- (iv) Ferries; and
- (v) Rail.

(3) Unspent appropriations in the 2023-2025 omnibus transportation appropriations act, chapter 472, Laws of 2023, and chapter . . . , Laws of 2024 (this act), which are appropriated from the carbon emissions reduction account before January 1, 2025, must thereafter be paid from the transportation carbon emissions reduction account as if they were appropriated from that account.

(4) Any appropriations from the carbon emissions reduction account beginning January 1, 2025, must lapse.

(5) Any residual balance of funds remaining in the carbon emissions reduction account on or after December 5, 2024, must be transferred by the state treasurer to the transportation carbon emissions reduction account created in this section.

(6) This section expires July 1, 2025.

NEW SECTION. Sec. 612. Section 611 of this act takes effect only if the carbon emissions reduction account is abolished on or after December 5, 2024.

MISCELLANEOUS

NEW SECTION. Sec. 701. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 702. Except for section 611 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 46.68.060, 36.79.020, 82.70.020, 82.70.040, 82.70.900, 46.68.170, and 47.12.244; amending 2023 c 472 ss 105, 108, 109, 111, 114, 110, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 601, 606, and 609 (uncodified); amending 2022 c 182 s 503 (uncodified); reenacting and amending RCW 46.68.300; adding new sections to 2023 c 472 (uncodified); creating a new section; making appropriations and authorizing expenditures for capital improvements; providing a contingent effective date; providing expiration dates; and declaring an emergency."

MOTION

Senator Liias moved that the following amendment no. 737 by Senator Liias be adopted:

Beginning on page 10, line 30, strike all of section 111 and insert the following:

"**Sec. 111.** 2023 c 472 s 110 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

State Patrol Highway Account—State Appropriation \$750,000

The appropriation in this section is subject to the following conditions and limitations: \$750,000 of the state patrol highway account—state appropriation is provided solely to the state office of equity to contract with an independent consultant to conduct the studies, evaluations, and reporting functions required in RCW 43.06D.060(2), and for the office to conduct the work specified in RCW 43.06D.060 (1) and (3)."

Senator Liias spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 737 by Senator Liias on page 10, line 30 to striking amendment no. 736.

The motion by Senator Liias carried and amendment no. 737 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 757 by Senator Fortunato be adopted:

On page 114, line 14, strike "\$92,903,000" and insert "\$157,903,000"

On page 115, line 4, strike "\$4,832,695,000" and insert "\$4,897,695,000"

On page 125, after line 17, insert the following:

"(29) \$65,000,000 of the motor vehicle account—state appropriation is provided solely for replacement of the state route number 410 White River Bridge."

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Liias spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 757 by Senator Fortunato on page 114, line 14 to striking amendment no. 736.

The motion by Senator Fortunato did not carry and amendment no. 757 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 758 by Senator Fortunato be adopted:

On page 114, line 14, strike "\$92,903,000" and insert "\$93,403,000"

On page 115, line 4, strike "\$4,832,695,000" and insert "\$4,833,195,000"

On page 125, after line 17, insert the following:

"(29) \$500,000 of the motor vehicle account—state appropriation is provided solely for preliminary engineering and design for the replacement of the state route number 410 White River Bridge."

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Liias spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 758 by Senator Fortunato on page 114, line 14 to striking amendment no. 736.

The motion by Senator Fortunato did not carry and amendment no. 758 was not adopted by voice vote.

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MOTION

Senator Trudeau moved that the following amendment no. 755 by Senators Trudeau, Nobles, Conway, Kauffman and Randall be adopted:

On page 122, after line 14, insert the following:

"(d) It is the intent of the legislature that the SR 167/SR 509 Puget Sound Gateway project (M00600R): (i) Receive its current revenue assumption of \$160,000,000 from the connecting Washington account—state in the 2027-2029 fiscal biennium; (ii) maintain the existing \$180,000,000 toll revenue assumption in the 2025-2027 fiscal biennium; (iii) reduce funding in the amount of \$160,000,000 from the Puget Sound Gateway facility account—state in the 2027-2029 fiscal biennium; and (iv) as referenced in the list in subsection (1) of this section, be updated and the LEAP totals be adjusted accordingly."

Senators Trudeau, Conway, King and Liias spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 755 by Senator Trudeau on page 122, after line 14 to striking amendment no. 736.

The motion by Senator Trudeau carried and amendment no. 755 was adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 734 by Senator Mullet be adopted:

On page 124, line 36, after "new" insert "advertisements or"

On page 124, line 39, after "methods" insert "and cost estimates"

On page 125, line 3, after "methods" insert "and cost estimates"

On page 125, line 5, after "legislature" insert "by July 1, 2024."

On page 125, line 7, after "new" insert "advertisements and"

Senators Mullet and King spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 734 by Senator Mullet on page 124, line 36 to striking amendment no. 736.

The motion by Senator Mullet carried and amendment no. 734 was adopted by voice vote.

MOTION

Senator Liias moved that the following amendment no. 738 by Senator Liias be adopted:

On page 131, line 21, after "~~biennium~~" insert "It is the intent of the legislature, that if bids and cash flow permit, the department shall pursue construction of three vessels simultaneously for the initial delivery of hybrid electric Olympic class vessels. In the event that bids are higher than the engineer's estimate, the legislature intends that the department proceed with the best value bid, or bids, for two vessels in the initial delivery.

(5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Liias and King spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 738 by Senator Liias on page 131, line 21 to striking amendment no. 736.

The motion by Senator Liias carried and amendment no. 738 was adopted by voice vote.

MOTION

Senator MacEwen moved that the following amendment no. 747 by Senator MacEwen be adopted:

On page 147, after line 23, insert the following:

"(23) It is the intent of the legislature that \$500,000 of the motor vehicle account—state appropriation be provided for the Log Yard Road Connector in a future fiscal biennium, and that \$500,000 of the motor vehicle account—state appropriation be provided for Romance Hill Connector project in a future fiscal biennium, and that the list referenced in subsection (1) of this section be updated accordingly."

Senators MacEwen and Liias spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 747 by Senator MacEwen on page 147, after line 23 to striking amendment no. 736.

The motion by Senator MacEwen carried and amendment no. 747 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 736 by Senators Liias and King as amended to Engrossed Substitute House Bill No. 2134.

The motion by Senator Pedersen carried and striking amendment no. 736 as amended was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute House Bill No. 2134 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2134 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2134 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Padden

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, as amended by the Senate, having received the constitutional

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1889, by House Committee on Consumer Protection & Business (originally sponsored by Representatives Walen, Taylor, Leavitt, Slatter, Ramel, Duerr, Ryu, Ramos, Bateman, Reeves, Reed, Ormsby, Callan, Peterson, Kloba, Macri, Street, Doglio, Bergquist, Mena, Goodman, Thai, Santos, Hackney, Pollet, Fosse, Davis, and Senn)

Allowing persons to receive professional licenses and certifications regardless of immigration or citizenship status.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1889 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, King and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1889.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1889 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Fortunato, Hawkins, MacEwen, McCune, Padden, Short, Wagoner and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1889, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2071, by House Committee on Appropriations (originally sponsored by Representatives Duerr, Bateman, Fitzgibbon, Berry, Reed, Ormsby, Ramel, Pollet, and Kloba)

Concerning residential housing regulations.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 19.27 RCW to read as follows:

(1) The legislature finds that lowering the cost of middle and multiplex housing construction will increase the housing supply and help address the state's shortage of affordable housing. It further finds that home builders and residentially focused architects are more familiar with the provisions of the international residential code. Allowing middle and multiplex housing to be built according to the standards of the international residential code will result in housing being easier to build and more affordable without sacrificing quality and safety. Therefore, the legislature intends to simplify the production of middle and multiplex housing by allowing more types of housing to use provisions of the international residential code.

(2) The state building code council shall convene a technical advisory group for the purpose of recommending the additions or amendments to rules or codes that are necessary for the council to apply the Washington state residential code to multiplex housing. The technical advisory group shall determine the most efficient mechanism to implement these changes in the Washington state residential code. These recommendations must include those code changes necessary to ensure public health and safety in multifamily housing under the international residential code and must consider the life safety systems and accessibility requirements for multiplex housing from the Washington state building code.

(3) The advisory group shall provide its recommendations to the council in time for the council to adopt or amend rules or codes as necessary for implementation in the 2024 international building code. The council shall take action to adopt additions and amendments to rules or codes as necessary to apply the international residential code to multiplex housing by November 1, 2026.

(4) For the purposes of this section, "multiplex housing" means a building with up to six dwelling units consolidated into a single structure with common walls and floors and a functional primary street entrance, or a building of up to three stories containing up to six dwelling units consolidated into a single structure.

NEW SECTION. Sec. 2. A new section is added to chapter 19.27 RCW to read as follows:

(1) The state building code council shall convene a technical advisory group for the purpose of recommending amendments to the international building code that would allow for a minimum dwelling unit size that is less than the requirements for an efficiency dwelling unit in the international building code. The technical advisory group shall consider aligning the state building code sections related to interior environment with the relevant sections of the national healthy housing standard published by the national center for healthy housing. When developing the recommendations, the technical advisory group must review the differences between the state building code and the national healthy housing standard and allow experts in public health and fire safety to comment during the process.

(2) The technical advisory group shall provide its recommendations to the council in time for the council to adopt or amend rules or codes as necessary for implementation in the 2024 international building code. The council shall take action to adopt additions and amendments to rules or codes as necessary by November 1, 2026.

NEW SECTION. Sec. 3. The office of regulatory innovation and assistance shall contract with a qualified external consultant or entity to develop a standard energy code plan set demonstrating a prescriptive compliance pathway that will meet or exceed all

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energy code regulations for residential housing in the state subject to the international residential code. The standard energy code plan set may be used, but is not required, by local governments and building industries. In developing the standard energy code plan set, the consultant shall, at a minimum, seek feedback from cities, counties, building industries, and building officials. The standard energy code plan set must be completed by June 30, 2025."

On page 1, line 1 of the title, after "regulations;" strike the remainder of the title and insert "adding new sections to chapter 19.27 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs to Second Substitute House Bill No. 2071.

The motion by Senator Lovelett carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Second Substitute House Bill No. 2071 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2071 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2071 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Fortunato, Hawkins, Holy, McCune, Muzzall, Padden, Rivers, Schoesler, Wagoner, Warnick, Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 2071 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2061, by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Bronoske, Ramel, Berry, Reed, Fosse, Lekanoff, Pollet, and Kloba)

Defining an employee of a health care facility for purposes of mandatory overtime provisions.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 2061 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, King and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2061.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2061 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2061, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039, by House Committee on Environment & Energy (originally sponsored by Representatives Fitzgibbon, Ramel, Reed, Ormsby, Fosse, and Duerr)

Modifying the appeals process for environmental and land use matters.

The measure was read the second time.

MOTION

Senator Nguyen moved that the following committee striking amendment by the Committee on Environment, Energy & Technology be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 34.05.518 and 2021 c 305 s 2 are each amended to read as follows:

(1)(a) The final decision of an administrative agency in an adjudicative proceeding under this chapter may be directly reviewed by the court of appeals (~~upon~~) either: (i) Upon certification by the superior court pursuant to this ((section)) subsection and subsections (2) and (3) of this section; or (ii) if the final decision is from an environmental board as identified in RCW 43.21B.005 and the final decision relates to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (4) of this section.

~~((Transfer of cases pursuant to this section does not require the filing of a motion for discretionary review with the court of appeals.))~~ (b) The superior court may certify cases for transfer to the court of appeals upon finding that:

~~((a))~~ (i) All parties have consented to the transfer to the court of appeals and agreed that the judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

~~((b))~~ (ii) One or more of the parties have not consented to the transfer, but the superior court finds that transfer would serve the interest of justice, would not cause substantial prejudice to any party, including any unrepresented party, and further finds that:

~~((i))~~ (A) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

~~((ii))~~ (B) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562, such that only issues of law remain for determination.

(2) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(3) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals.

(4)(a) For the appeal of a permit related to a clean energy project, as defined in RCW 43.158.010, that is the subject of a final adjudicative decision of an environmental board, as identified in RCW 43.21B.005, upon a motion filed by any party to the appeal, the superior court shall certify a case for transfer to the court of appeals upon a finding that:

(i) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(ii) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562.

(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to the superior court.

(5) Transfer of cases pursuant to this section does not require the filing of a motion for discretionary review with the court of appeals.

Sec. 2. RCW 34.05.518 and 2021 c 305 s 5 are each amended to read as follows:

(1) The final decision of an administrative agency in an adjudicative proceeding under this chapter may be directly reviewed by the court of appeals either (a) upon certification by the superior court pursuant to subsection (2) of this section ~~((a))~~; (b) if the final decision is from an environmental board as ~~((defined in))~~ identified in RCW 43.21B.005 and the final decision relates to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (3) of this section ~~(upon acceptance by the court of appeals after a certificate of appealability has been filed by the environmental board that rendered the final decision))~~; or (c) if the final decision is from an environmental board identified in RCW 43.21B.005 and the final decision does not relate to a clean energy project as defined in RCW 43.158.010, pursuant to subsection (4) of this section. Transfer of a case pursuant to subsections (3) or (4) of this section does not require the filing of a motion for discretionary review with the court of appeals.

(2)(a) For direct review upon certification by the superior court, an application for direct review must be filed with the superior court within thirty days of the filing of the petition for review in superior court. The superior court may certify a case for direct review only if the judicial review is limited to the record of the agency proceeding and the court finds that:

~~((a))~~ (i) Fundamental and urgent issues affecting the future administrative process or the public interest are involved which require a prompt determination;

~~((b))~~ (ii) Delay in obtaining a final and prompt determination of such issues would be detrimental to any party or the public interest;

~~((c))~~ (iii) An appeal to the court of appeals would be likely regardless of the determination in superior court; and

~~((d))~~ (iv) The appellate court's determination in the proceeding would have significant precedential value.

(b) Procedures for certification shall be established by court rule.

~~(3)(a) For the~~ ~~((purposes of direct review of final decisions of environmental boards, environmental boards include those boards identified in RCW 43.21B.005 and the growth management hearings board as identified in RCW 36.70A.250.~~

~~(b) An environmental board may issue a certificate of appealability if it finds that delay in obtaining a final and prompt determination of the issues would be detrimental to any party or the public interest and either:~~

~~(i) Fundamental and urgent statewide or regional issues are raised; or~~

~~(ii) The proceeding is likely to have significant precedential value.~~

~~(4) The environmental board shall state in the certificate of appealability which criteria it applied, explain how that criteria was met, and file with the certificate a copy of the final decision.~~

~~(5) For an appellate court to accept direct review of a final decision of an environmental board, it shall consider the same criteria outlined in subsection (3) of this section.~~

~~(6) The procedures for direct review of final decisions of environmental boards include:~~

~~(a) Within thirty days after filing the petition for review with the superior court, a party may file an application for direct review with the superior court and serve the appropriate environmental board and all parties of record. The application shall request the environmental board to file a certificate of appealability.~~

~~(b) If an issue on review is the jurisdiction of the environmental board, the board may file an application for direct review on that issue.~~

~~(c) The environmental board shall have thirty days to grant or deny the request for a certificate of appealability and its decision shall be filed with the superior court and served on all parties of record.~~

~~(d) If a certificate of appealability is issued, the parties shall have fifteen days from the date of service to file a notice of discretionary review in the superior court, and the notice shall include a copy of the certificate of appealability and a copy of the final decision.~~

~~(e) If the appellate court accepts review, the certificate of appealability shall be transmitted to the court of appeals as part of the certified record.~~

~~(f) If a certificate of appealability is denied, review shall be by the superior court. The superior court's decision may be appealed to the court of appeals.)~~ appeal of a permit related to a clean energy project, as defined in RCW 43.158.010, that is the subject of a final adjudicative decision of an environmental board, as identified in RCW 43.21B.005, upon a motion filed by any party

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to the appeal, the superior court shall certify a case for transfer to the court of appeals upon a finding that:

(i) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(ii) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562.

(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to superior court.

(4)(a) The final adjudicative decision of an environmental board, as identified in RCW 43.21B.005, that does not relate to a clean energy project as defined in RCW 43.158.010, may be directly reviewed by the court of appeals upon certification by the superior court pursuant to this subsection. The superior court shall certify cases for transfer to the court of appeals upon finding that:

(i) All parties have consented to the transfer to the court of appeals and agreed that the judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(ii) One or more of the parties have not consented to the transfer, but the superior court finds that transfer would serve the interest of justice, would not cause substantial prejudice to any party, including any unrepresented party, and further finds that:

(A) The judicial review can occur based upon the agency record developed before the administrative body without supplementing the record pursuant to RCW 34.05.562; or

(B) The superior court has completed any necessary supplementation of the record pursuant to RCW 34.05.562, such that only issues of law remain for determination.

(b) If the superior court certifies a final decision of an administrative agency in an adjudicative proceeding, the superior court shall transfer the matter to the court of appeals as a direct appeal.

(c) A party contesting a superior court decision granting or denying certification for direct review may file a motion for discretionary review with the court of appeals. Where a contesting party demonstrates that substantial prejudice would result from direct review by the court of appeals, the court of appeals may remand to the superior court.

NEW SECTION. Sec. 3. A new section is added to chapter 43.21B RCW to read as follows:

(1) Where multiple permits for the same underlying clean energy project, as defined in RCW 43.158.010, are appealed to one or more of the environmental boards, as identified in RCW 43.21B.005, the presiding officer shall consolidate the appeals for hearing when one or more of the following criteria are met:

(a) When appeals for the permits related to the same underlying project are either:

(i) Filed within 60 days of each other; or

(ii) If the permits are not filed within 60 days of each other and the environmental board issues a stay of the appeal of the permit following the applicant's request. Such a stay must include a stay of the construction of the project pending appeal pursuant to RCW 43.21B.320, to allow other anticipated appeals of permits for the same underlying project to be filed with the environmental boards to accommodate consolidation pursuant to this section, but the environmental board may set a deadline after which an appeal

may proceed in the absence of other permit appeals in order to ensure efficient resolution of appeals; or

(b) The presiding officer determines that the following three criteria have been met:

(i) Consolidation will expedite disposition of the appeals;

(ii) Consolidation will avoid duplication of testimony; and

(iii) Consolidation will not prejudice the rights of the parties.

(2) When all appeals of individual permits consolidated pursuant to this section are within the jurisdiction of the pollution control hearings board, the pollution control hearings board shall retain jurisdiction over the consolidated matter. When all appeals of individual permits consolidated pursuant to this section are within the jurisdiction of the shorelines hearings board, the shorelines hearings board shall retain jurisdiction over the consolidated matter. When appeals to the pollution control hearings board and appeals to the shorelines hearings board are consolidated pursuant to this section, the following applies:

(a) The consolidated appeals must be heard by the pollution control hearings board;

(b) The pollution control hearings board must issue its decision on the consolidated appeal within 240 days, which must be measured from the date that the last of the consolidated appeals was filed; and

(c) The time period in (b) of this subsection may be extended on motion from a party or by the pollution control hearings board upon a showing that the consolidated appeal raises issues of unique complexity and that delay is not against the public interest. In no case may the time period in (b) of this subsection be extended for a period greater than 30 days unless the time period is waived by all parties.

Sec. 4. RCW 90.58.180 and 2011 c 277 s 4 are each amended to read as follows:

(1)(a) Any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW 90.58.140 may seek review from the shorelines hearings board by filing a petition for review within ~~((twenty-one))~~ 21 days of the date of filing of the decision as defined in RCW 90.58.140(6).

(b) Within seven days of the filing of any petition for review with the board as provided in this section pertaining to a final decision of a local government, the petitioner shall serve copies of the petition on the department, the office of the attorney general, and the local government. The department and the attorney general may intervene to protect the public interest and ensure that the provisions of this chapter are complied with at any time within ~~((fifteen))~~ 15 days from the date of the receipt by the department or the attorney general of a copy of the petition for review filed pursuant to this section. The shorelines hearings board shall schedule review proceedings on the petition for review without regard as to whether the period for the department or the attorney general to intervene has or has not expired.

(2) The department or the attorney general may obtain review of any final decision granting a permit, or granting or denying an application for a permit issued by a local government by filing a written petition with the shorelines hearings board and the appropriate local government within ~~((twenty-one))~~ 21 days from the date the final decision was filed as provided in RCW 90.58.140(6).

(3) The review proceedings authorized in subsections (1) and (2) of this section are subject to the provisions of chapter 34.05 RCW pertaining to procedures in adjudicative proceedings. Judicial review of such proceedings of the shorelines hearings board is governed by chapter 34.05 RCW. The board shall issue its decision on the appeal authorized under subsections (1) and (2) of this section within ~~((one hundred eighty))~~ 180 days after the date the petition is filed with the board or a petition to intervene

is filed by the department or the attorney general, whichever is later. The time period may be extended by the board for a period of ~~((thirty))~~ 30 days upon a showing of good cause or may be waived by the parties.

(4) Any person may appeal any rules, regulations, or guidelines adopted or approved by the department within ~~((thirty))~~ 30 days of the date of the adoption or approval. The board shall make a final decision within ~~((sixty))~~ 60 days following the hearing held thereon.

(5) The board shall find the rule, regulation, or guideline to be valid and enter a final decision to that effect unless it determines that the rule, regulation, or guideline:

- (a) Is clearly erroneous in light of the policy of this chapter; or
- (b) Constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or
- (c) Is arbitrary and capricious; or
- (d) Was developed without fully considering and evaluating all material submitted to the department during public review and comment; or
- (e) Was not adopted in accordance with required procedures.

(6) If the board makes a determination under subsection (5)(a) through (e) of this section, it shall enter a final decision declaring the rule, regulation, or guideline invalid, remanding the rule, regulation, or guideline to the department with a statement of the reasons in support of the determination, and directing the department to adopt, after a thorough consultation with the affected local government and any other interested party, a new rule, regulation, or guideline consistent with the board's decision.

(7) A decision of the board on the validity of a rule, regulation, or guideline shall be subject to review in superior court, if authorized pursuant to chapter 34.05 RCW. A petition for review of the decision of the shorelines hearings board on a rule, regulation, or guideline shall be filed within ~~((thirty))~~ 30 days after the date of final decision by the shorelines hearings board.

(8) Where multiple permits for the same underlying clean energy project, as defined in RCW 43.158.010, have been appealed to one or more of the environmental boards, as identified in RCW 43.21B.005, the presiding officer shall consolidate the appeals, including appeals to the shorelines hearings board, pursuant to section 3 of this act.

Sec. 5. RCW 43.21B.110 and 2023 c 455 s 5, 2023 c 434 s 20, 2023 c 344 s 5, and 2023 c 135 s 6 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to chapter 70A.230 RCW and RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.205.280, 70A.355.070, 70A.430.070, 70A.500.260, 70A.505.100, 70A.505.110, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.455.090, 70A.550.030, 70A.555.110, 70A.560.020, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 18.104.130, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.15.4530, 70A.15.6010, 70A.205.280, 70A.214.140, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 70A.555.110, 70A.560.020, 86.16.020, 88.46.070, 90.03.665,

90.14.130, 90.46.250, 90.48.120, ~~((and))~~ 90.48.240, 90.56.330, and 90.64.040.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, ~~((or))~~ a decision to approve or deny a solid waste management plan under RCW 70A.205.055, approval or denial of an application for a ~~((solid waste permit exemption))~~ beneficial use determination under RCW 70A.205.260, an application for a change under RCW 90.03.383, or a permit to distribute reclaimed water under RCW 90.46.220.

(d) Decisions of local health departments regarding the ~~((grant))~~ granting or denial of solid waste permits pursuant to chapter 70A.205 RCW, including appeals by the department as provided in RCW 70A.205.130.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820 ~~((and decisions of the department regarding waste derived soil amendments under RCW 70A.205.145)).~~

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026 as provided in RCW 90.64.028.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW, except where appeals to the pollution control hearings board and appeals to the

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shorelines hearings board have been consolidated pursuant to section 3 of this act.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

Sec. 6. RCW 43.21B.300 and 2023 c 455 s 6, 2023 c 434 s 21, and 2023 c 135 s 7 are each reenacted and amended to read as follows:

(1) Any civil penalty provided in RCW 18.104.155, 70A.15.3160, 70A.205.280, 70A.230.080, 70A.300.090, 70A.20.050, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.430.070, 70A.455.090, 70A.500.260, 70A.505.110, 70A.555.110, 70A.560.020, 86.16.081, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102 and chapter 70A.355 RCW shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the penalty from the department or the local air authority, describing the violation with reasonable particularity. For penalties issued by local air authorities, within 30 days after the notice is received, the person incurring the penalty may apply in writing to the authority for the remission or mitigation of the penalty. Upon receipt of the application, the authority may remit or mitigate the penalty upon whatever terms the authority in its discretion deems proper. The authority may ascertain the facts regarding all such applications in such reasonable manner and under such rules as it may deem proper and shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(2) Any penalty imposed under this section may be appealed to the pollution control hearings board in accordance with this chapter if the appeal is filed with the hearings board and served on the department or authority 30 days after the date of receipt by the person penalized of the notice imposing the penalty or 30 days after the date of receipt of the notice of disposition by a local air authority of the application for relief from penalty.

(3) A penalty shall become due and payable on the later of:

(a) 30 days after receipt of the notice imposing the penalty;

(b) 30 days after receipt of the notice of disposition by a local air authority on application for relief from penalty, if such an application is made; or

(c) 30 days after receipt of the notice of decision of the hearings board if the penalty is appealed.

(4) If the amount of any penalty is not paid to the department within 30 days after it becomes due and payable, the attorney general, upon request of the department, shall bring an action in the name of the state of Washington in the superior court of Thurston county, or of any county in which the violator does business, to recover the penalty. If the amount of the penalty is not paid to the authority within 30 days after it becomes due and payable, the authority may bring an action to recover the penalty in the superior court of the county of the authority's main office or of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.

(5) All penalties recovered shall be paid into the state treasury and credited to the general fund except ~~((those penalties imposed pursuant to RCW 18.104.155, which shall be credited to the reclamation account as provided in RCW 18.104.155(7), RCW 70A.15.3160, the disposition of which shall be governed by that provision, RCW 70A.245.040 and 70A.245.050, which shall be credited to the recycling enhancement account created in RCW 70A.245.100, RCW 70A.300.090, 70A.555.110, and 70A.560.020, which shall be credited to the model toxics control operating account created in RCW 70A.305.180, RCW 70A.65.200, which shall be credited to the climate investment account created in RCW 70A.65.250, RCW 90.56.330, which shall be credited to the coastal protection fund created by RCW 90.48.390, and RCW 70A.355.070, which shall be credited to the underground storage tank account created by RCW 70A.355.090))~~ the following:

(a) Penalties imposed pursuant to RCW 18.104.155 must be credited to the reclamation account as provided in RCW 18.104.155(7);

(b) Penalties imposed pursuant to RCW 70A.15.3160 must be disposed of pursuant to RCW 70A.15.3160;

(c) Penalties imposed pursuant to RCW 70A.230.080, 70A.300.090, 70A.430.070, 70A.555.110, and 70A.560.020 must be credited to the model toxics control operating account created in RCW 70A.305.180;

(d) Penalties imposed pursuant to RCW 70A.245.040 and 70A.245.050 must be credited to the recycling enhancement account created in RCW 70A.245.100;

(e) Penalties imposed pursuant to RCW 70A.500.260 must be deposited into the electronic products recycling account created in RCW 70A.500.130;

(f) Penalties imposed pursuant to RCW 70A.65.200 must be credited to the climate investment account created in RCW 70A.65.250;

(g) Penalties imposed pursuant to RCW 90.56.330 must be credited to the coastal protection fund established in RCW 90.48.390; and

(h) Penalties imposed pursuant to RCW 70A.355.070 must be credited to the underground storage tank account created in RCW 70A.355.090.

Sec. 7. RCW 70A.230.080 and 2020 c 20 s 1245 are each amended to read as follows:

A violation of this chapter is punishable by a civil penalty not to exceed ~~((one thousand dollars))~~ \$1,000 for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed ~~((five thousand dollars))~~ \$5,000 for each repeat violation. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180. The penalties provided in this section must be imposed pursuant to RCW 43.21B.300 and may be appealed to the pollution control hearings board.

Sec. 8. RCW 70A.300.120 and 2012 c 117 s 417 are each amended to read as follows:

(1) Whenever on the basis on any information the department determines that a person has violated or is about to violate any provision of this chapter, the department may issue an order requiring compliance either immediately or within a specified period of time. The order shall be delivered by registered mail or personally to the person against whom the order is directed.

(2) Any person who fails to take corrective action as specified in a compliance order shall be liable for a civil penalty of not more than ~~((ten thousand dollars))~~ \$10,000 for each day of continued noncompliance. In addition, the department may suspend or revoke any permits and/or certificates issued under the provisions

of this chapter to a person who fails to comply with an order directed against him or her.

(3) Any order or penalty may be appealed pursuant to RCW ~~((43.21B.310))~~ 43.21B.300.

Sec. 9. RCW 70A.430.070 and 2020 c 20 s 1409 are each amended to read as follows:

(1) A manufacturer of products that are restricted under this chapter must notify persons that sell the manufacturer's products in this state about the provisions of this chapter no less than ~~((ninety))~~ 90 days prior to the effective date of the restrictions.

(2) A manufacturer that produces, sells, or distributes a product prohibited from manufacture, sale, or distribution in this state under this chapter must recall the product and reimburse the retailer or any other purchaser for the product.

(3) A manufacturer of products in violation of this chapter is subject to a civil penalty not to exceed ~~((five thousand dollars))~~ \$5,000 for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed ~~((ten thousand dollars))~~ \$10,000 for each repeat offense. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180. The penalties provided in this section must be imposed pursuant to RCW 43.21B.300 and may be appealed to the pollution control hearings board.

(4) Retailers who unknowingly sell products that are restricted from sale under this chapter are not liable under this chapter.

(5) The sale or purchase of any previously owned products containing a chemical restricted under this chapter made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter.

Sec. 10. RCW 86.16.081 and 1995 c 403 s 634 are each amended to read as follows:

(1) Except as provided in RCW 43.05.060 through 43.05.080 and 43.05.150, the attorney general or the attorney for the local government shall bring such injunctive, declaratory, or other actions as are necessary to ensure compliance with this chapter.

(2) Any person who fails to comply with this chapter shall also be subject to a civil penalty not to exceed ~~((one thousand dollars))~~ \$1,000 for each violation. Each violation or each day of noncompliance shall constitute a separate violation.

(3) The penalty provided for in this section ~~((shall))~~ must be imposed by a notice in writing ~~((either by certified mail with return receipt requested or by personal service, to the person incurring the same from the department or local government, describing the violation with reasonable particularity and ordering))~~ and must be imposed consistent with the procedures of RCW 43.21B.300. The notice in writing must also order the act or acts constituting the violation or violations to cease and desist or, in appropriate cases, ((requiring)) must require necessary corrective action to be taken within a specific and reasonable time.

(4) Any penalty imposed pursuant to this section by the department shall be subject to review by the pollution control hearings board under chapter 43.21B RCW. Any penalty imposed pursuant to this section by local government shall be subject to review by the local government legislative authority. Any penalty jointly imposed by the department and local government shall be appealed to the pollution control hearings board under chapter 43.21B RCW.

Sec. 11. RCW 70A.500.260 and 2020 c 20 s 1259 are each amended to read as follows:

(1) No manufacturer may sell or offer for sale a covered electronic product in or into the state unless the manufacturer of the covered electronic product is participating in an approved plan. The department shall send a written warning to a

manufacturer that does not have an approved plan or is not participating in an approved plan as required under RCW 70A.500.050. The written warning must inform the manufacturer that it must participate in an approved plan within ~~((thirty))~~ 30 days of the notice. Any violation after the initial written warning shall be assessed a penalty of up to ~~((ten thousand dollars))~~ \$10,000 for each violation.

(2) If the authority or any authorized party fails to implement their approved plan, the department must assess a penalty of up to ~~((five thousand dollars))~~ \$5,000 for the first violation along with notification that the authority or authorized party must implement its plan within ~~((thirty))~~ 30 days of the violation. After ~~((thirty))~~ 30 days, the authority or any authorized party failing to implement their approved plan must be assessed a penalty of up to ~~((ten thousand dollars))~~ \$10,000 for the second and each subsequent violation.

(3) Any person that does not comply with manufacturer registration requirements under RCW 70A.500.040, education and outreach requirements under RCW 70A.500.120, reporting requirements under RCW 70A.500.140, labeling requirements under RCW 70A.500.160, retailer responsibility requirements under RCW 70A.500.170, collector or transporter registration requirements under RCW 70A.500.240, or requirements under RCW 70A.500.250, must first receive a written warning consistent with the procedures of RCW 43.21B.300, including a copy of the requirements under this chapter and ~~((thirty))~~ 30 days to correct the violation. After ~~((thirty))~~ 30 days, a person must be assessed a penalty of up to ~~((one thousand dollars))~~ \$1,000 for the first violation and up to ~~((two thousand dollars))~~ \$2,000 for the second and each subsequent violation. The penalties provided in this section must be imposed pursuant to RCW 43.21B.300 and may be appealed to the pollution control hearings board.

(4) All penalties levied under this section must be deposited into the electronic products recycling account created under RCW 70A.500.130.

(5) The department shall enforce this section.

Sec. 12. RCW 36.70C.040 and 1995 c 347 s 705 are each amended to read as follows:

(1) Proceedings for review under this chapter shall be commenced by filing a land use petition in superior court.

(2) A land use petition is barred, and the court may not grant review, unless the petition is timely filed with the court and timely served on the following persons who shall be parties to the review of the land use petition:

(a) The local jurisdiction, which for purposes of the petition shall be the jurisdiction's corporate entity and not an individual decision maker or department;

(b) Each of the following persons if the person is not the petitioner:

(i) Each person identified by name and address in the local jurisdiction's written decision as an applicant for the permit or approval at issue; and

(ii) Each person identified by name and address in the local jurisdiction's written decision as an owner of the property at issue;

(c) If no person is identified in a written decision as provided in (b) of this subsection, each person identified by name and address as a taxpayer for the property at issue in the records of the county assessor, based upon the description of the property in the application; and

(d) Each person named in the written decision who filed an appeal to a local jurisdiction quasi-judicial decision maker regarding the land use decision at issue, unless the person has abandoned the appeal or the person's claims were dismissed before the quasi-judicial decision was rendered. Persons who later

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intervened or joined in the appeal are not required to be made parties under this subsection.

(3) The petition is timely if it is filed and served on all parties listed in subsection (2) of this section within ~~((twenty-one))~~ 21 days of the issuance of the land use decision.

(4) For the purposes of this section, the date on which a land use decision is issued is:

(a) Three days after a written decision is mailed by the local jurisdiction or, if not mailed, the date on which the local jurisdiction provides notice that a written decision is publicly available;

(b) If the land use decision is made by ordinance or resolution by a legislative body sitting in a quasi-judicial capacity, the date the body passes the ordinance or resolution; or

(c) If neither (a) nor (b) of this subsection applies, the date the decision is entered into the public record.

(5) Service on the local jurisdiction must be by delivery of a copy of the petition to the ~~((persons))~~ office of a person identified by or pursuant to RCW 4.28.080 to receive service of process, or as otherwise designated by the local jurisdiction. Service on the local jurisdiction is effective upon delivery. Service on other parties must be in accordance with the superior court civil rules or by first-class mail to:

(a) The address stated in the written decision of the local jurisdiction for each person made a party under subsection (2)(b) of this section;

(b) The address stated in the records of the county assessor for each person made a party under subsection (2)(c) of this section; and

(c) The address stated in the appeal to the quasi-judicial decision maker for each person made a party under subsection (2)(d) of this section.

(6) Service by mail is effective on the date of mailing and proof of service shall be by affidavit or declaration under penalty of perjury.

NEW SECTION. Sec. 13. Section 1 of this act expires July 1, 2026.

NEW SECTION. Sec. 14. Section 2 of this act takes effect July 1, 2026.

NEW SECTION. Sec. 15. RCW 70A.205.145 (Exemption from solid waste permit requirements—Waste-derived soil amendments—Application—Revocation of exemption—Appeal) and 2020 c 20 s 1175, 2016 c 119 s 7, & 1998 c 36 s 18 are each repealed."

On page 1, line 2 of the title, after "matters;" strike the remainder of the title and insert "amending RCW 34.05.518, 34.05.518, 90.58.180, 70A.230.080, 70A.300.120, 70A.430.070, 86.16.081, 70A.500.260, and 36.70C.040; reenacting and amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 43.21B RCW; repealing RCW 70A.205.145; providing an effective date; and providing an expiration date."

MOTION

Senator Lovelett moved that the following amendment no. 745 by Senator Lovelett be adopted:

On page 7, beginning on line 5, strike all of subsection (2)(c) and insert the following:

"(c) The time period in (b) of this subsection may be extended 60 days on a motion from a party or by the pollution control hearings board upon a finding of good cause. The time period in (b) of this subsection may also be waived if agreed to by all parties."

Senator Lovelett spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 745 by Senator Lovelett on page 7, line 5 to the committee striking amendment.

The motion by Senator Lovelett carried and amendment no. 745 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Environment, Energy & Technology as amended to Engrossed Substitute House Bill No. 2039.

The motion by Senator Nguyen carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Substitute House Bill No. 2039 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2039 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2039 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, McCune, Schoesler and Warnick

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Muzzall: "Well, thank you Mr. President. This morning as we were busy on our things, Brynlee Ann Donwen was born, which was our fifth granddaughter. Seven pounds, seven ounces and about twenty inches long. Last evening I found out that our sixth grandchild will also be a girl which means that I'm the father to three daughters and the grandfather to six granddaughters. Apparently, that is the only way I can surround myself with women, Mr. President. Thank you very much." [Laughter.]

President Heck: "Congratulations."

The Senate recognized Senator Muzzall's growing family.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2048, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Mosbrucker, Goodman, Graham, Doglio, and Davis)

Concerning supervision of domestic violence in criminal sentencing.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 2048 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Dhingra spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senator Liias was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2048.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2048 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SUBSTITUTE HOUSE BILL NO. 2048, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2137, by Representatives Berg, Orcutt, Sandlin, Doglio, Dent, and Reeves

Concerning technical changes to allowable exemptions for tourism promotion area assessments.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, House Bill No. 2137 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2137.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2137 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 2137, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2329, by House Committee on Consumer Protection & Business (originally sponsored by Representatives Macri, Peterson, Alvarado, Chopp, Bateman, Pollet, Reed, and Ramel)

Conducting a study of the insurance market for housing providers receiving housing trust fund resources.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Substitute House Bill No. 2329 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2329.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2329 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SUBSTITUTE HOUSE BILL NO. 2329, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321, by House Committee on Housing (originally sponsored by Representatives Bateman, Barkis, Duerr, Reed, and Pollet)

Modifying middle housing requirements and the definitions of transit stop.

The measure was read the second time.

MOTION

Senator Hansen moved that the following amendment no. 733 by Senator Hansen be adopted:

On page 14, line 14, after "(b)" insert "Areas designated as sole-source aquifers by the United States environmental protection agency on islands in the Puget Sound;

(c)"

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Senators Hansen and Kuderer spoke in favor of adoption of the amendment.

Senators Fortunato and Braun spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 733 by Senator Hansen on page 14, line 14 to Engrossed Substitute House Bill No. 2321.

The motion by Senator Hansen carried and amendment no. 733 was adopted by a rising vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute House Bill No. 2321 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Fortunato spoke in favor of passage of the bill.

Senator Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2321 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2321 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Fortunato, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Gildon, Hawkins, Holy, King, MacEwen, McCune, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Liias

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2321 as amended by the Senate, having received the constitutional

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1876, by Representatives Springer, McEntire, Reeves, and Thai

Concerning confidential fisheries information collected by other states and maintaining that confidentiality under the public records act.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 746 by Senator Fortunato be adopted:

On page 4, line 9, after "that state" insert ". if the category of information is similarly exempted for Washington state fisheries related information under this section"

On page 6, line 9, after "that state" insert ". if the category of information is similarly exempted for Washington state fisheries related information under this section"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 746 by Senator Fortunato on page 4, line 9 to House Bill No. 1876.

The motion by Senator Fortunato did not carry and amendment no. 746 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 1876 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1876.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1876 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

HOUSE BILL NO. 1876, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2213, by Representatives Cheney, Taylor, Duerr, and Graham

Concerning defects and omissions in the laws that have been identified by the justices of the supreme court or judges of the superior courts pursuant to Article IV, section 25 of the state Constitution.

The measure was read the second time.

MOTION

Senator Padden moved that the following amendment no. 754 by Senator Padden be adopted:

Beginning on page 1, line 10, strike all of section 1
 Renumber the remaining sections consecutively and correct any internal references accordingly.
 On page 1, line 5 of the title, after "29A.80.061;" strike "reenacting and amending RCW 10.95.030;"

Senators Padden and Dhingra spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 754 by Senator Padden on page 1, line 10 to House Bill No. 2213.

The motion by Senator Padden carried and amendment no. 754 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 2213 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2213 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2213 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 2213 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1905, by House Committee on Labor & Workplace Standards (originally sponsored by

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Representatives Mena, Senn, Berry, Cortes, Morgan, Ortiz-Self, Ramel, Ramos, Bateman, Reed, Ormsby, Callan, Kloba, Macri, Street, Gregerson, Doglio, Orwall, Bergquist, Goodman, Reeves, Lekanoff, Hackney, Fosse, Pollet, Davis, and Simmons)

Including protected classes in the Washington equal pay and opportunities act.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Substitute House Bill No. 1905 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1905.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1905 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, MacEwen, McCune, Padden, Schoesler, Short, Wagoner and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1905, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2266, by Representatives Stonier, Berry, Leavitt, Davis, Alvarado, Ramel, Peterson, Doglio, Ormsby, Fosse, Morgan, Simmons, and Macri

Concerning sanitary conditions for construction workers who menstruate or express milk.

The measure was read the second time.

MOTION

Senator Keiser moved that the following striking amendment no. 751 by Senators Keiser and King be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** In addition to the primary safety and health hazards faced by all construction workers, there are safety and health issues specific to construction workers who menstruate and/or express milk. As an ongoing effort to address labor shortages in the construction industry, as well as to continue recruiting and retaining underrepresented workers in the

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construction trades, the legislature intends to address some of the basic barriers faced by these construction workers.

NEW SECTION. Sec. 2. A new section is added to chapter 49.17 RCW to read as follows:

(1) The director shall adopt rules, pursuant to this section, to address safety and health issues specific to workers performing construction activities who menstruate or express milk, or both. The rules must be included in the rules governing construction safety standards and must be applicable only to employers in the construction industry.

(2) The rules adopted pursuant to this section must require employers in the construction industry to provide workers, performing construction activities and who menstruate, with:

(a) A minimum size bathroom, accessible on the worksite, that is equivalent to a standard sized portable chemical toilet, or access to a permanent structure with a bathroom. The bathroom must have an internal latch to be secured from inadvertent entry;

(b) Adequate time to accommodate for multiple layers of clothing while using the bathroom; and

(c) An adequate and convenient supply of menstrual hygiene products available at no cost to the workers. Menstrual hygiene products must either be located in all gender-neutral bathrooms and bathrooms designated for workers who menstruate, or provided in kits for each worker who needs such product.

(3) The rules adopted pursuant to this section must require employers in the construction industry to provide reasonable accommodations for workers performing construction activities to express milk. The department must identify minimum reasonable accommodations that include alternatives for worksites of varying numbers of employees. Reasonable accommodations means providing:

(a) Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for the expression of milk;

(b) A location, other than a bathroom, that is convenient and sanitary for the worker to express milk. The location must be private and lockable, if possible, and free from intrusion;

(c) Convenient hygienic refrigeration on the worksite for the storage of milk; and

(d) A convenient water source for the worker to clean and wash hands and milk expression equipment. The water source must be in a private location near the location where milk is expressed.

(4) On multi-employer worksites, each employer is responsible for ensuring that facilities for their own workers are provided.

(5)(a) Until thirty days after the date the department's adopted rule is filed with the code reviser, or July 1, 2025, whichever date is later, the department may not impose any monetary penalties for violations of this section. This subsection does not prohibit the department from receiving complaints, conducting inspections, issuing citations with no assessed penalty, and fixing reasonable time for abatement of the violation.

(b) When the department's final rules under this section are published by the code reviser in the State Register, the department, in partnership with relevant labor organizations and the office of minority and women's business enterprises, shall conduct educational outreach to construction employers on the rights and responsibilities established in this section."

On page 1, line 2 of the title, after "milk;" strike the remainder of the title and insert "adding a new section to chapter 49.17 RCW; and creating a new section."

Senators Keiser and King spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 751 by Senators Keiser and King to Engrossed House Bill No. 2266.

The motion by Senator Keiser carried and striking amendment no. 751 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed House Bill No. 2266 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2266 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2266 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED HOUSE BILL NO. 2266 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Pedersen, Rule 15 was suspended for the remainder of the day for the purposes of taking a dinner break of less than sixty minutes.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

At 5:27 p.m., on motion of Senator Pedersen, the Senate was recessed until 6:30 p.m.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon recessing.

Senator Muzzall announced a meeting of the Republican Caucus immediately upon recessing.

The Senate was called to order at 6:32 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041, by House Committee on Health Care & Wellness (originally sponsored by Representatives Riccelli, Schmick, Simmons, Reed, Schmidt, Macri, and Lekanoff)

Concerning physician assistant collaborative practice.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 2041 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2041.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2041 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1153, by Representatives Peterson, Fitzgibbon, Berry, Walen, Bateman, Goodman, Leavitt, Macri, Gregerson, Stonier, Pollet, and Fosse

Prohibiting octopus farming.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, House Bill No. 1153 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Van De Wege spoke in favor of passage of the bill. Senator Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1153.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1153 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen,

Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

HOUSE BILL NO. 1153, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118, by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Walen, Berry, Senn, Reed, Ormsby, Ramel, Peterson, Macri, Farivar, Doglio, Wylie, Reeves, Hackney, Pollet, Kloba, and Davis)

Protecting the public from gun violence by establishing additional requirements for the business operations of licensed firearms dealers.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Wilson, L. and without objection, amendment no. 769 by Senator Wilson, L. on page 1, line 16 to Engrossed Substitute House Bill No. 2118 was withdrawn.

MOTION

Senator Fortunato moved that the following amendment no. 768 by Senator Fortunato be adopted:

On page 4, line 10, after "hours," insert "or while conducting business as part of a multiday gun show."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 768 by Senator Fortunato on page 4, line 10 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Fortunato did not carry and amendment no. 768 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 786 by Senator Padden be adopted:

On page 4, beginning on line 19, after "images" strike "and, for systems located inside the premises, audio,"

On page 5, beginning on line 23, after "VIDEO" strike "AND AUDIO SURVEILLANCE. YOUR IMAGE AND CONVERSATIONS" and insert "SURVEILLANCE. YOUR IMAGE"

Senators Padden, Wagoner and Wilson, L. spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 786 by Senator Padden on page 4, line 19 to Engrossed Substitute House Bill No. 2118.

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The motion by Senator Padden did not carry and amendment no. 786 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 772 by Senator Short be adopted:

On page 4, on line 21, after "be" strike "permanently"

Senator Short spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 772 by Senator Short on page 4, line 21 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Short did not carry and amendment no. 772 was not adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 750 by Senator Mullet be adopted:

On page 5, beginning on line 1, after "of" strike "two years" and insert "90 days"

Senators Mullet and Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 750 by Senator Mullet on page 5, line 1 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Mullet carried and amendment no. 750 was adopted by voice vote.

MOTION

Senator Boehnke moved that the following amendment no. 789 by Senator Boehnke be adopted:

On page 5, after line 20, insert the following:

"(iii) A court, insurer, or manufacturer in possession of recordings obtained pursuant to this section must protect all personally identifying information from unlawful and improper disclosure. There is a rebuttable presumption that all data, recordings, files, or other information obtained via recording contain personally identifying information. This presumption can be rebutted by a preponderance of the evidence that the information is not personally identifying information or is otherwise subject to lawful disclosure."

Senator Boehnke spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 789 by Senator Boehnke on page 5, after line 20 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Boehnke did not carry and amendment no. 789 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 765 by Senator Padden be adopted:

On page 5, beginning on line 25, after "(d)" strike all material through "(e)" on line 29

Senators Padden and MacEwen spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 765 by Senator Padden on page 5, line 25 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Padden did not carry and amendment no. 765 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 782 by Senator Fortunato be adopted:

On page 5, line 30, after "inoperable" insert "or data stored in compliance with this act is hacked, corrupted, or damaged"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 782 by Senator Fortunato on page 5, line 30 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Fortunato did not carry and amendment no. 782 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 759 by Senator Wagoner be adopted:

On page 5, beginning on line 39, after "knows" strike "or should know"

Senator Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 759 by Senator Wagoner on page 5, line 39 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Wagoner did not carry and amendment no. 759 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 761 by Senator Fortunato be adopted:

On page 7, line 5, after "least" strike "\$1,000,000" and insert "\$100,000"

Senators Fortunato, Dozier and Padden spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

POINT OF ORDER

Senator Pedersen: "Thank you Mr. President. I wonder if you might remind the gentleman from the 31st District about the rule against impugning motives."

RULING BY THE PRESIDENT

President Heck: "Thank you Senator Pedersen, I was actually just about to do that. Senator Fortunato, your rules do not provide

an opportunity for you to impugn the motives of any member on suggestion that their motives in advocating for this legislation for that purpose is in fact impugning their motives. Please keep your remarks to the merits or demerits of the measures before us.”

The President declared the question before the Senate to be the adoption of amendment no. 761 by Senator Fortunato on page 7, line 5 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Fortunato did not carry and amendment no. 761 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Mullet and without objection, amendment no. 753 by Senator Mullet on page 8, line 4 to Engrossed Substitute House Bill No. 2118 was withdrawn.

MOTION

Senator Padden moved that the following amendment no. 764 by Senator Padden be adopted:

On page 8, line 4, after "of" strike "\$1,000" and insert "\$10,000"

Senators Padden and Wilson, L. spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 764 by Senator Padden on page 8, line 4 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Padden did not carry and amendment no. 764 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 767 by Senator Wagoner be adopted:

On page 8, line 19, after "1," strike "2025" and insert "2027"

Senator Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 767 by Senator Wagoner on page 8, line 19 to Engrossed Substitute House Bill No. 2118.

The motion by Senator Wagoner did not carry and amendment no. 767 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute House Bill No. 2118 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

Senators Padden, Fortunato and Muzzall spoke against passage of the bill.

POINT OF ORDER

Senator Billig: “Thank you Mr. President. I was hoping that you could remind the gentleman about speaking to the question before us.”

RULING BY THE PRESIDENT

President Heck: “Thank you Senator Billig. It is the President’s experience that Senator Muzzall on occasion does take a long time to get to his point, but that his particularly unique style does eventually lead to something that is germane. Almost always. Senator Muzzall, proceed.”

Senators Muzzall, Wagoner, Dozier, Braun and Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2118 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2118 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2433, by Representative Orcutt

Concerning administration of the southwest Washington fair by the Lewis county board of county commissioners.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, House Bill No. 2433 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2433.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2433 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short,

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Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner,
Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 2433, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 7:57 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Wednesday, February 28, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 28, 2024

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Selena and Miss Sierra Terrell, presented the Colors.

Page Mr. Leo Kazakov led the Senate in the Pledge of Allegiance.

The prayer was offered by Cantor Geoff Fine, Senior Clergy, Reformed Jewish Community, Temple Beth El, Tacoma.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 27, 2024

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL NO. 5834,
SENATE BILL NO. 5979,
SUBSTITUTE SENATE BILL NO. 6060,
ENGROSSED SENATE BILL NO. 6095,
SENATE BILL NO. 6234,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 27, 2024

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5647,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5793,
SUBSTITUTE SENATE BILL NO. 5840,
SENATE BILL NO. 5843,
SENATE BILL NO. 5883,
SECOND SUBSTITUTE SENATE BILL NO. 5893,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5973,
SUBSTITUTE SENATE BILL NO. 5980,
ENGROSSED SENATE BILL NO. 5997,
SENATE BILL NO. 6017,
SENATE BILL NO. 6027,
SENATE BILL NO. 6088,
SENATE BILL NO. 6178,
SUBSTITUTE SENATE BILL NO. 6186,
SENATE BILL NO. 6222,
SUBSTITUTE SENATE BILL NO. 6227,
SUBSTITUTE SENATE BILL NO. 6269,
ENGROSSED SENATE BILL NO. 6296,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 27, 2024

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL NO. 5786,
SENATE BILL NO. 5805,
SENATE BILL NO. 5884,
SENATE BILL NO. 5913,

SUBSTITUTE SENATE BILL NO. 5925,
SUBSTITUTE SENATE BILL NO. 6140,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 27, 2024

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL NO. 5917,
SUBSTITUTE SENATE BILL NO. 5998,
SUBSTITUTE SENATE BILL NO. 6108,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTIONS

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Wellman moved adoption of the following resolution:

SENATE RESOLUTION

8670

By Senators Wellman and Stanford

WHEREAS, The United States and the people of Taiwan are bonded by their shared commitment to democracy, human rights, the rule of law, and a free market economy; and

WHEREAS, Taiwan is the 9th largest trading partner of the United States, with bilateral trade totaling \$135,000,000,000 in 2022, while both sides welcomed the resumption of high-level trade engagement and expressed a desire to work closely together; and

WHEREAS, In 2022, the total trade between Washington State and Taiwan exceeded approximately \$3,800,000,000 worth of products, making Taiwan the 7th largest trading partner for the State, and both sides are committed to strengthening bilateral economic ties; and

WHEREAS, Taiwan is the 6th largest export destination for United States agricultural goods, and has ranked among the top three importers of Washington sweet cherries, potatoes, and beef; and

WHEREAS, Taiwanese companies which invest in Washington State, including Taiwan Semiconductor Manufacturing Company, Eva Air, Evergreen Marine, Yang Mine Marine Transport, and Lightel Technologies, and etc., have helped to create more than 15,000 jobs in this State; and

WHEREAS, The United States Congress passed the landmark Taiwan Relation Act (TRA) in 1979 to sustain a close, bilateral relationship as well as to advance mutual security and commercial interests between the United States and Taiwan; and

WHEREAS, Washington State has resumed its office in Taiwan and appointed a representative in November of 2023 to strengthen the trade and investment relationship between sides; and

WHEREAS, The United States has assisted Taiwan in participating in the World Health Organization (WHO), the International Civil Aviation Organization (ICAO), and the

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International Criminal Police Organization (INTERPOL), and will continue to support Taiwan's meaningful participation in these and other international organizations;

NOW, THEREFORE, BE IT RESOLVED:

(1) That Washington State recognizes the importance of a strong and enduring relationship with the people of Taiwan; and

(2) That Washington State reiterates its support for a closer economic and trade relationship between the United States and the people of Taiwan; and

(3) That Washington State supports Taiwan's participation in international organizations that impact the global trade, health, safety, and the well-being of the 23,000,000 people in Taiwan.

Senators Wellman and Wagoner spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8670.

The motion by Senator Wellman carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced dignitaries and representatives of the Republic of China (Taiwan) including Consul Tony Nien Tsu Hu, Taipei Economic and Cultural Representative Office (TECRO), Seattle; Mr. Daniel Chen, Director General, TECRO-Seattle; and Ms. Emily Yang, General Manager, TECRO-Seattle; who were seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Jeanne K. Bennett, Senate Gubernatorial Appointment No. 9168, be confirmed as a member of the Clark College Board of Trustees.

Senator Cleveland spoke in favor of the motion.

MOTIONS

On motion of Senator Nobles, Senators Lovelett, Stanford and Trudeau were excused.

On motion of Senator Wagoner, Senator Dozier was excused.

APPOINTMENT OF JEANNE K. BENNETT

The President declared the question before the Senate to be the confirmation of Jeanne K. Bennett, Senate Gubernatorial Appointment No. 9168, as a member of the Clark College Board of Trustees.

The Secretary called the roll on the confirmation of Jeanne K. Bennett, Senate Gubernatorial Appointment No. 9168, as a member of the Clark College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovick, MacEwen, McCune, Mullet, Muzzall,

Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Lovelett, Stanford and Trudeau

Jeanne K. Bennett, Senate Gubernatorial Appointment No. 9168, having received the constitutional majority was declared confirmed as a member of the Clark College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Boehnke moved that Ofelia P. Bredt, Senate Gubernatorial Appointment No. 9178, be confirmed as a member of the Columbia Basin College Board of Trustees.

Senator Boehnke spoke in favor of the motion.

APPOINTMENT OF OFELIA P. BREDT

The President declared the question before the Senate to be the confirmation of Ofelia P. Bredt, Senate Gubernatorial Appointment No. 9178, as a member of the Columbia Basin College Board of Trustees.

The Secretary called the roll on the confirmation of Ofelia P. Bredt, Senate Gubernatorial Appointment No. 9178, as a member of the Columbia Basin College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

Ofelia P. Bredt, Senate Gubernatorial Appointment No. 9178, having received the constitutional majority was declared confirmed as a member of the Columbia Basin College Board of Trustees.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1105, by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Kloba, Abbarno, and Thai)

Requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted.

The measure was read the second time.

MOTION

HOUSE BILL NO. 1471, by Representatives Stearns, Ramos, Gregerson, and Ryu

Senator Hunt moved that the following committee striking amendment by the Committee on State Government & Elections be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 42.30 RCW to read as follows:

(1) A public agency that is required by state law to solicit public comment for a statutorily specified period of time, and is required by state law to provide notice that it is soliciting public comment, must specify the first and last date and time by which written public comment may be submitted.

(2) An agency that provides a notice that violates this section is subject to the same fines under the same procedures as other violations of this chapter are subject to under RCW 42.30.120."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "requiring public agencies to provide notice for public comment that includes the first and last date and time by which such public comment must be submitted; and adding a new section to chapter 42.30 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on State Government & Elections to Substitute House Bill No. 1105.

The motion by Senator Hunt carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Substitute House Bill No. 1105 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1105 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1105 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1105 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

Modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts.

The measure was read the second time.

MOTION

Senator Valdez moved that the following committee striking amendment by the Committee on State Government & Elections be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 39.26.010 and 2022 c 71 s 12 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any state office or activity of the executive and judicial branches of state government, including state agencies, departments, offices, divisions, boards, commissions, institutions of higher education as defined in RCW 28B.10.016, and correctional and other types of institutions. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(2) "Bid" means an offer, proposal, or quote for goods or services in response to a solicitation issued for such goods or services by the department or an agency of Washington state government.

(3) "Bidder" means an individual or entity who submits a bid, quotation, or proposal in response to a solicitation issued for such goods or services by the department or an agency of Washington state government.

(4) "Client services" means services provided directly to agency clients including, but not limited to, medical and dental services, employment and training programs, residential care, and subsidized housing.

(5) "Community rehabilitation program of the department of social and health services" means any entity that:

(a) Is registered as a nonprofit corporation with the secretary of state; and

(b) Is recognized by the department of social and health services, division of vocational rehabilitation as eligible to do business as a community rehabilitation program.

(6) "Competitive solicitation" means a documented formal process providing an equal and open opportunity to bidders and culminating in a selection based on predetermined criteria.

(7) "Contractor" means an individual or entity awarded a contract with an agency to perform a service or provide goods.

(8) "Debar" means to prohibit a contractor, individual, or other entity from submitting a bid, having a bid considered, or entering into a state contract during a specified period of time as set forth in a debarment order.

(9) "Department" means the department of enterprise services.

(10) "Director" means the director of the department of enterprise services.

(11) "Estimated useful life" of an item means the estimated time from the date of acquisition to the date of replacement or disposal, determined in any reasonable manner.

(12) "Goods" means products, materials, supplies, or equipment provided by a contractor.

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(13) "In-state business" means a business that has its principal office located in Washington.

(14) "Life-cycle cost" means the total cost of an item to the state over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined, minus the salvage value at the end of its estimated useful life.

(15) "Master contracts" means a contract for specific goods or services, or both, that is solicited and established by the department in accordance with procurement laws and rules on behalf of and for general use by agencies as specified by the department.

(16) "Microbusiness" means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that: (a) Is owned and operated independently from all other businesses; and (b) has a gross revenue of less than ~~((one million dollars))~~ \$1,000,000 annually as reported on its federal tax return or on its return filed with the department of revenue.

(17) "Minibusiness" means any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that: (a) Is owned and operated independently from all other businesses; and (b) has a gross revenue of less than ~~((three million dollars))~~ \$3,000,000, but ~~((one million dollars))~~ \$1,000,000 or more annually as reported on its federal tax return or on its return filed with the department of revenue.

(18) "Polychlorinated biphenyls" means any polychlorinated biphenyl congeners and homologs.

(19) "Practical quantification limit" means the lowest concentration that can be reliably measured within specified limits of precision, accuracy, representativeness, completeness, and comparability during routine laboratory operating conditions.

(20) "Purchase" means the acquisition of goods or services, including the leasing or renting of goods.

(21) "Services" means labor, work, analysis, or similar activities provided by a contractor to accomplish a specific scope of work.

(22) "Small business" means an in-state business, including a sole proprietorship, corporation, partnership, or other legal entity, that:

(a) Certifies, under penalty of perjury, that it is owned and operated independently from all other businesses and has either:

(i) Fifty or fewer employees; or

(ii) A gross revenue of less than ~~((seven million dollars))~~ \$7,000,000 annually as reported on its federal income tax return or its return filed with the department of revenue over the previous three consecutive years; or

(b) Is certified with the office of women and minority business enterprises under chapter 39.19 RCW.

(23) "Sole source" means a contractor providing goods or services of such a unique nature or sole availability ~~((at the location required))~~ that the contractor is clearly and justifiably the only practicable source to provide the goods or services.

(24) "Washington grown" has the definition in RCW 15.64.060.

Sec. 2. RCW 39.26.070 and 2015 c 79 s 6 are each amended to read as follows:

A convenience contract is a contract for specific goods or services, or both, that is solicited and established in accordance with procurement laws and rules for use by ~~((a specific agency or))~~ a specified group of agencies ~~((as needed from time to time))~~. A convenience contract is not available for general use and ~~((may only))~~ must be ~~((used as specified))~~ approved by the department. Convenience contracts are not intended to replace or supersede master contracts as defined in this chapter.

Sec. 3. RCW 39.26.130 and 2012 c 224 s 15 are each amended to read as follows:

(1) An agency may make emergency purchases as defined in subsection ~~((3))~~ (4) of this section. When an emergency purchase is made, the agency head shall submit written notification of the purchase within ~~((three))~~ 10 business days of the purchase to the director. This notification must contain a description of the purchase, a description of the emergency and the circumstances leading up to the emergency, and an explanation of why the circumstances required an emergency purchase.

(2) Emergency contracts must be submitted to the department and made available for public inspection within ~~((three working))~~ 10 business days following the commencement of work or execution of the contract, whichever occurs first.

(3) The department may authorize exceptions to this section due to exigent circumstances.

(4) As used in this section, "emergency" means a set of unforeseen circumstances beyond the control of the agency that either:

(a) Present a real, immediate, and extreme threat to the proper performance of essential functions; or

(b) May reasonably be expected to result in material loss or damage to property, bodily injury, or loss of life, if immediate action is not taken.

Sec. 4. RCW 39.26.140 and 2012 c 224 s 16 are each amended to read as follows:

(1) Agencies must submit sole source contracts to the department and make the contracts available for public inspection not ~~((less))~~ fewer than ~~((ten))~~ 15 working days before the proposed starting date of the contract. Agencies must provide documented justification for sole source contracts to the department when the contract is submitted, and must include evidence that the agency posted the contract opportunity at a minimum on the state's enterprise vendor registration and bid notification system.

(2) The department must approve sole source contracts before any such contract becomes binding and before any services may be performed or goods provided under the contract. These requirements shall also apply to all sole source contracts except as otherwise exempted by the director.

(3) The director may provide an agency an exemption from the requirements of this section for a contract or contracts. Requests for exemptions must be submitted to the director in writing.

(4) Contracts awarded by institutions of higher education from nonstate funds are exempt from the requirements of this section.

Sec. 5. RCW 39.26.200 and 2020 c 269 s 3 are each amended to read as follows:

(1)(a) The director shall provide notice to the contractor of the director's intent to either fine or debar with the specific reason for either the fine or debarment. The department must establish the debarment and fining processes by rule.

(b) After reasonable notice to the contractor and reasonable opportunity for that contractor to be heard, the director has the authority to debar a contractor for cause from consideration for award of contracts. The debarment must be for a period of not more than three years.

(2) The director may either fine or debar a contractor based on a finding of one or more of the following causes:

(a) Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;

(b) Conviction or a final determination in a civil action under state or federal statutes of fraud, embezzlement, theft, forgery,

bribery, falsification or destruction of records, receiving stolen property, violation of the federal false claims act, 31 U.S.C. Sec. 3729 et seq., or the state medicaid fraud false claims act, chapter 74.66 RCW, or any other offense indicating a lack of business integrity or business honesty that currently, seriously, and directly affects responsibility as a state contractor;

(c) Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;

(d) Two or more violations within the previous five years of the national labor relations act as determined by the national labor relations board or court of competent jurisdiction;

(e) Violation of contract provisions, as set forth in this subsection, of a character that is regarded by the director to be so serious as to justify debarment action:

(i) Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or

(ii) A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, however the failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor may not be considered to be a basis for debarment;

(f) Violation of ethical standards set forth in RCW 39.26.020;

(g) Any other cause the director determines to be so serious and compelling as to affect responsibility as a state contractor, including debarment by another governmental entity for any cause listed in regulations; and

(h) ~~((During the 2017-2019 fiscal biennium, the))~~ The failure to comply with a provision in a state master contract or other agreement with a state agency that requires equality among its workers by ensuring similarly employed individuals are compensated as equals.

(3) The director must issue a written decision to debar. The decision must:

(a) State the reasons for the action taken; and

(b) Inform the debarred contractor of the contractor's rights to judicial or administrative review."

On page 1, line 3 of the title, after "contracts;" strike the remainder of the title and insert "and amending RCW 39.26.010, 39.26.070, 39.26.130, 39.26.140, and 39.26.200."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on State Government & Elections to House Bill No. 1471.

The motion by Senator Valdez carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Valdez, the rules were suspended, House Bill No. 1471 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1471 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1471 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1471 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1726, by Representatives Bronoske, Robertson, Griffey, Rule, Leavitt, Schmidt, Chapman, Ryu, Reeves, Graham, Ormsby, Paul, and Reed

Concerning the director of fire protection's administration and reimbursement of fire service-related training programs.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, House Bill No. 1726 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1726.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1726 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Benson Hill Elementary School students, representatives, and parents from Renton, guests of Senator Hasegawa, who were seated in the gallery.

SECOND READING

HOUSE BILL NO. 1962, by Representatives Low, Cheney, Ryu, Leavitt, Couture, Ramos, Morgan, Reeves, Rule, Graham,

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Jacobsen, Kloba, Sandlin, Hutchins, Paul, Riccelli, Wylie, and Fosse

Improving voter registration list accuracy by improving voter address change processes for county election offices and voters.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, House Bill No. 1962 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1962.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1962 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1962, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1851, by House Committee on Appropriations (originally sponsored by Representatives Callan, Macri, Bergquist, and Gregerson)

Implementing the first approach skills training program.

The measure was read the second time.

MOTION

Senator Wilson, C. moved that the following committee striking amendment by the Committee on Human Services be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 71.24.061 and 2021 c 126 s 1 are each amended to read as follows:

(1) The authority shall provide flexibility to encourage licensed or certified community behavioral health agencies to subcontract with an adequate, culturally competent, and qualified children's mental health provider network.

(2) To the extent that funds are specifically appropriated for this purpose or that nonstate funds are available, a children's mental health evidence-based practice institute shall be established at the University of Washington department of psychiatry and behavioral sciences. The institute shall closely

collaborate with entities currently engaged in evaluating and promoting the use of evidence-based, research-based, promising, or consensus-based practices in children's mental health treatment, including but not limited to the University of Washington department of psychiatry and behavioral sciences, Seattle children's hospital, the University of Washington school of nursing, the University of Washington school of social work, and the Washington state institute for public policy. To ensure that funds appropriated are used to the greatest extent possible for their intended purpose, the University of Washington's indirect costs of administration shall not exceed ten percent of appropriated funding. The institute shall:

(a) Improve the implementation of evidence-based and research-based practices by providing sustained and effective training and consultation to licensed children's mental health providers and child-serving agencies who are implementing evidence-based or researched-based practices for treatment of children's emotional or behavioral disorders, or who are interested in adapting these practices to better serve ethnically or culturally diverse children. Efforts under this subsection should include a focus on appropriate oversight of implementation of evidence-based practices to ensure fidelity to these practices and thereby achieve positive outcomes;

(b) Continue the successful implementation of the "partnerships for success" model by consulting with communities so they may select, implement, and continually evaluate the success of evidence-based practices that are relevant to the needs of children, youth, and families in their community;

(c) Partner with youth, family members, family advocacy, and culturally competent provider organizations to develop a series of information sessions, literature, and online resources for families to become informed and engaged in evidence-based and research-based practices;

(d) Participate in the identification of outcome-based performance measures under RCW 71.36.025(2) and partner in a statewide effort to implement statewide outcomes monitoring and quality improvement processes; and

(e) Serve as a statewide resource to the authority and other entities on child and adolescent evidence-based, research-based, promising, or consensus-based practices for children's mental health treatment, maintaining a working knowledge through ongoing review of academic and professional literature, and knowledge of other evidence-based practice implementation efforts in Washington and other states.

(3)(a) To the extent that funds are specifically appropriated for this purpose, the authority in collaboration with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital shall implement the following access lines:

(i) The partnership access line to support primary care providers in the assessment and provision of appropriate diagnosis and treatment of children with mental and behavioral health disorders and track outcomes of this program;

(ii) The partnership access line for moms to support obstetricians, pediatricians, primary care providers, mental health professionals, and other health care professionals providing care to pregnant women and new mothers through same-day telephone consultations in the assessment and provision of appropriate diagnosis and treatment of depression in pregnant women and new mothers; ~~(and)~~

(iii) The mental health referral service for children and teens to facilitate referrals to children's mental health services and other resources for parents and guardians with concerns related to the mental health of the parent or guardian's child. Facilitation activities include assessing the level of services needed by the

child; within an average of seven days from call intake processing with a parent or guardian, identifying mental health professionals who are in-network with the child's health care coverage who are accepting new patients and taking appointments; coordinating contact between the parent or guardian and the mental health professional; and providing postreferral reviews to determine if the child has outstanding needs. In conducting its referral activities, the program shall collaborate with existing databases and resources to identify in-network mental health professionals; and

(iv) The first approach skills training program to provide brief, evidence-based behavioral therapy for youth and families with common mental health concerns.

(b) The program activities described in (a) of this subsection shall be designed to promote more accurate diagnoses and treatment through timely case consultation between primary care providers and child psychiatric specialists, and focused educational learning collaboratives with primary care providers.

(4) The authority, in collaboration with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital, shall report on the following:

(a) The number of individuals who have accessed the resources described in subsection (3) of this section;

(b) The number of providers, by type, who have accessed the resources described in subsection (3) of this section;

(c) Demographic information, as available, for the individuals described in (a) of this subsection. Demographic information may not include any personally identifiable information and must be limited to the individual's age, gender, and city and county of residence;

(d) A description of resources provided;

(e) Average time frames from receipt of call to referral for services or resources provided; and

(f) Systemic barriers to services, as determined and defined by the health care authority, the University of Washington department of psychiatry and behavioral sciences, and Seattle children's hospital.

(5) Beginning December 30, 2019, and annually thereafter, the authority must submit, in compliance with RCW 43.01.036, a report to the governor and appropriate committees of the legislature with findings and recommendations for improving services and service delivery from subsection (4) of this section.

(6) The authority shall enforce requirements in managed care contracts to ensure care coordination and network adequacy issues are addressed in order to remove barriers to access to mental health services identified in the report described in subsection (4) of this section.

Sec. 2. RCW 71.24.063 and 2020 c 291 s 3 are each amended to read as follows:

(1) The University of Washington department of psychiatry and behavioral (~~health~~) sciences shall collect the following information for the (~~partnership access line described in RCW 71.24.061(3)(a)(i),~~) partnership access line for moms described in RCW 71.24.061(3)(a)(ii)(~~(A)~~), and the psychiatric consultation line described in RCW 71.24.062, in coordination with any hospital that it collaborates with to administer the programs:

(a) The number of individuals served;

(b) Demographic information regarding the individuals served, as available, including the individual's age, gender, and city and county of residence. Demographic information may not include any personally identifiable information;

(c) Demographic information regarding the providers placing the calls, including type of practice, and city and county of practice;

(d) Insurance information, including health plan and carrier, as available;

(e) A description of the resources provided; and

(f) Provider satisfaction.

(2) The (~~University of Washington department of psychiatry and behavioral health sciences~~) authority shall collect the following information for the program called the (~~partnership access line for kids referral and assistance service~~) mental health referral service for children and teens described in RCW 71.24.061(~~(3)(a)(ii)(B))~~) (3)(a)(iii), and the partnership access line described in RCW 71.24.061(3)(a)(i), in coordination with (~~any~~) Seattle children's hospital (~~that it collaborates with~~) to administer the program:

(a) The number of individuals served;

(b) Demographic information regarding the individuals served, as available, including the individual's age, gender, and city and county of residence. Demographic information may not include any personally identifiable information;

(c) Demographic information regarding the parents or guardians placing the calls, including family location;

(d) Insurance information, including health plan and carrier, as available;

(e) A description of the resources provided;

(f) Average time frames from receipt of the call to referral for services or resources provided;

(g) The most frequently requested issues that parents and guardians are asking for assistance with;

(h) The most frequently requested issues that families are asking for referral assistance with;

(i) The number of individuals that receive an appointment based on referral assistance; and

(j) Parent or guardian satisfaction.

(3) The authority shall collect the following information for the first approach skills training program (FAST) described in RCW 71.24.061(3)(a)(iv), in coordination with Seattle children's hospital to administer the program:

(a) The number of providers trained;

(b) The number of clinics supported;

(c) The number of ongoing consultation training sessions delivered;

(d) The utilization rates of the FAST website video and materials; and

(e) Updates on all new materials created, such as new translations, for the program.

Sec. 3. RCW 71.24.064 and 2020 c 291 s 4 are each amended to read as follows:

(1) Beginning July 1, 2021, the partnership access lines described in RCW 71.24.061(3)(a), (~~and~~) the psychiatric consultation line described in RCW 71.24.062, and the first approach skills training program described in RCW 71.24.061(3)(a)(iv) shall be funded as follows:

(a) The authority, in consultation with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital shall determine the annual costs of operating each program, as well as the authority's costs for administering the programs.

(b) For each program, the authority shall calculate the proportion of clients that are covered by programs administered pursuant to chapter 74.09 RCW. The state must cover the cost for programs administered pursuant to chapter 74.09 RCW through state and federal funds, as appropriated.

(c)(i) The authority shall collect a proportional share of program costs from each of the following entities that are not for covered lives under contract with the authority as medicaid managed care organizations:

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(A) Health carriers, as defined in RCW 48.43.005;

(B) Self-funded multiple employer welfare arrangements, as defined in RCW 48.125.010;

(C) Employers or other entities that provide health care in this state, including self-funding entities or employee welfare benefit plans.

(ii) For entities listed in (c)(i) of this subsection, a proportional share of the entity's annual program costs for each program must be calculated by determining the annual cost of operating the program not covered under (b) of this subsection and multiplying it by a fraction that in which the numerator is the entity's total number of resident insured persons among the population served by the program and the denominator is the total number of residents in the state who are served by the program and not covered by programs administered pursuant to chapter 74.09 RCW. The total number of resident insured persons among the population served by the program shall be determined according to the covered lives per calendar year determined by covered person months.

(iii) The entities listed in (c)(i) of this subsection shall provide information needed to calculate the proportional share of program costs under this section to the authority.

(d) The authority's administrative costs for these programs may not be included in the assessments.

(2) The authority may contract with a third-party administrator to calculate and administer the assessments of the entities identified in subsection (1)(c)(i) of this section.

(3) The authority shall develop separate performance measures for the partnership access lines described in RCW 71.24.061(3)(a), and the psychiatric consultation line described in RCW 71.24.062.

(4) The University of Washington department of psychiatry and behavioral sciences, in coordination with any hospital that it collaborates with to administer the programs, shall provide quarterly reports to the authority on the demographic data collected by each program, as described in RCW 71.24.063 (1) and (2), any performance measures specified by the authority, and systemic barriers to services, as determined and defined by the authority, the University of Washington, and Seattle children's hospital."

On page 1, line 3 of the title, after "program;" strike the remainder of the title and insert "and amending RCW 71.24.061, 71.24.063, and 71.24.064."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services to Substitute House Bill No. 1851.

The motion by Senator Wilson, C. carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute House Bill No. 1851 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1851 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1851 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1851 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1955, by Representatives Barnard, Doglio, Ramos, Reeves, and Hackney

Repealing the greenhouse gas content disclosure provision.

The measure was read the second time.

MOTION

On motion of Senator MacEwen, the rules were suspended, House Bill No. 1955 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen and Nguyen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1955.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1955 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1955, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Benson Hill Elementary School students, representatives, and parents from Renton, guests of Senator Hasegawa, who were seated in the gallery.

SECOND READING

HOUSE BILL NO. 1901, by Representatives Springer, Schmidt, Berry, Ormsby, and Reeves

Removing the sunset on changes to the unemployment insurance voluntary contribution program.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1901 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1901.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1901 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1901, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2151, by House Committee on Appropriations (originally sponsored by Representatives Reeves, Chapman, and Kloba)

Reassigning the accreditation of private cannabis testing laboratories from the department of ecology to the department of agriculture.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Second Substitute House Bill No. 2151 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2151.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2151 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen,

Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 2151, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1974, by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Abbarno, Bronoske, and Doglio)

Disposing of human remains.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 1974 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1974.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1974 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1974, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2034, by Representatives Cheney, Taylor, Levitt, Ramos, Reed, and Reeves

Requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations.

The measure was read the second time.

MOTION

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On motion of Senator Padden, the rules were suspended, House Bill No. 2034 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Trudeau spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2034.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2034 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 2034, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2355, by House Committee on Health Care & Wellness (originally sponsored by Representatives Nance, Ybarra, and Reed)

Establishing a primary certification process for magnetic resonance imaging technologists.

The measure was read the second time.

MOTION

On motion of Senator Muzzall, the rules were suspended, Substitute House Bill No. 2355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2355.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2355 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2355, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2216, by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Cheney, Leavitt, Walen, Santos, Couture, Graham, Reed, Rude, and Davis)

Reducing barriers to state employment by eliminating two-year and four-year degree requirements that are unnecessary.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Substitute House Bill No. 2216 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2216.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2216 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2216, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6316, by Senators Pedersen, and King

Concerning the state route number 520 corridor.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 6316 was substituted for Senate Bill No. 6316 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 6316 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6316.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6316 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Hasegawa and Lovelett

SUBSTITUTE SENATE BILL NO. 6316, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2382, by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Berry, Lekanoff, Reed, Bronoske, Fosse, Pollet, and Ormsby)

Concerning death benefits applicable to drivers of transportation network companies.

The measure was read the second time.

MOTION

Senator Saldaña moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 51.32 RCW to read as follows:

(1) In addition to the coverage provided in RCW 51.16.250, death benefits shall be payable in accordance with RCW 51.32.050 when a transportation network company driver's death results from an injury occurring while the driver is:

(a) Logged onto the transportation network company's digital network as available for work;

(b) Physically inside the transportation network company driver's vehicle or within the immediate proximity of the transportation network company driver's vehicle; and

(c) Not otherwise covered by this title.

(2) As applicable, for the purposes of this section, the definitions in RCW 49.46.300 apply.

(3) For the purposes of this section, the applicable statute of limitations begins upon the driver's death.

(4) The department may adopt rules to implement this section.

Sec. 2. RCW 51.16.250 and 2022 c 281 s 11 are each amended to read as follows:

(1) Beginning January 1, 2023, the department shall assess premiums for transportation network companies, as defined in RCW 49.46.300, in accordance with RCW 51.16.035 and this section, for workers' compensation coverage applicable to drivers, as defined in RCW 49.46.300, while the driver is engaged in passenger platform time and dispatch platform time, as those terms are defined in RCW 49.46.300.

(2) For the purposes of calculating the premium for drivers under subsection (1) of this section, the department shall multiply the total number of hours spent by drivers in passenger platform time and dispatch platform time on the transportation network company's driver platform by the rates established for taxicab companies. The department may subsequently adjust premiums in accordance with department rules.

(3) For a death that is covered under section 1 of this act, the cost of the benefits must be included in the consideration of rate increases for the risk class and not attributed to a single transportation network company. Such cost shall not be included in the calculation of any individual transportation network company's experience modification factor.

(4) Transportation network companies, not qualifying as a self-insurer, shall insure with the state and shall, on or before the last day of January, April, July, and October of each year thereafter, furnish the department with a true and accurate statement of the hours for which drivers, as defined in RCW 49.46.300, were engaged in passenger platform time and dispatch platform time on the transportation network company's driver platform during the preceding calendar quarter and the total amount paid to such drivers engaged in passenger platform time on the transportation network company's driver platform during the preceding calendar quarter, and shall pay its premium based on the total passenger platform time and dispatch platform time to the appropriate fund. Premiums for a calendar quarter, whether reported or not, shall become due and delinquent on the day immediately following the last day of the month following the calendar quarter. The sufficiency of such statement shall be subject to the approval of the director: PROVIDED, That the director may in his or her discretion and for the effective administration of this title require a transportation network company in individual instances to furnish a supplementary report containing the name of each individual driver, his or her hours engaged in passenger platform time and dispatch platform time on the transportation network company's driver platform, and his or her compensation: PROVIDED FURTHER, That the department may promulgate rules and regulations in accordance with chapter 34.05 RCW to establish other reporting periods and payment due dates in lieu of reports and payments following each calendar quarter, and may also establish terms and conditions for payment of premiums and assessments based on estimated passenger platform time and dispatch platform time on the transportation network company's driver platform, with such payments being subject to approval as to sufficiency of the estimated passenger platform time and dispatch platform time on the transportation network company's driver platform by the department, and also subject to appropriate periodic adjustments made by the department based on actual passenger platform time and dispatch platform time on the transportation network company's driver platform.

~~((4))~~ (5) The department may adopt rules to carry out the purposes of this section, including rules providing for alternative reporting requirements.

~~((5))~~ (6) This section does not apply to any worker who is not a driver, and who is employed by the transportation network company. For those workers the processes for determining coverage, calculating premiums, reporting requirements, reporting periods, and payment due dates are subject to the provisions of this title that apply generally to employers and workers.

NEW SECTION. Sec. 3. (1) The legislature recognizes the nature of work is changing and there may be workers who are victims of crime while connected to work through a digital network, online-enabled application, website, or other similar system that are not covered by industrial insurance. The

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department of labor and industries shall conduct or contract out for a study using administrative and other available data and report to the legislature by July 1, 2029. The study shall include, but not be limited to: The number and frequency of workers filing claims with the department of labor and industries who are victims of crime while connected to work through a digital network, online-enabled application, website, or other similar system; whether those claims were accepted or denied; and if denied, the reason for the denial. The study shall not include remote workers working from their homes.

(2) This section expires December 31, 2029."

On page 1, line 2 of the title, after "companies;" strike the remainder of the title and insert "amending RCW 51.16.250; adding a new section to chapter 51.32 RCW; creating a new section; and providing an expiration date."

MOTION

Senator Saldaña moved that the following amendment no.741 by Senator Saldaña be adopted:

On page 1, after line 2, insert the following:

"NEW SECTION. Sec. 1. (1) The legislature intends to extend survivor death benefits under the industrial insurance act for the surviving dependents of transportation network company drivers when certain conditions are met. The legislature recognizes the devastating impact that such a death has on the surviving family members.

(2) By the enactment of section 2 of this act, the legislature honors the memory of transportation network company drivers who have died while working in Washington in recent years, including Cherno Ceesay, who died in 2020, Mohamed Kediye, who died in 2022, Mohamadou Kabba and Amare Geda, who died in 2023, and Abdikadir Gedi Shariif, who died in 2024."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 4, line 1, after "creating" strike "a new section" and insert "new sections"

Senator Saldaña spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no.741 by Senator Saldaña on page 1, after line 2 to the committee striking amendment.

The motion by Senator Saldaña carried and amendment no.741 was adopted by voice vote.

MOTION

Senator King moved that the following amendment no.798 by Senators King and Keiser be adopted:

On page 3, beginning on line 17, after "(1)" strike all material through "insurance." on line 21

On page 3, at the beginning of line 25, after "of" strike "workers" and insert "transportation network company drivers"

On page 3, line 26, after "a" insert "transportation network company's"

On page 3, beginning on line 27, after "network" strike all material through "system" on line 28

Senator King spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no.798 by Senators King and Keiser on page 3, line 17 to the committee striking amendment.

The motion by Senator King carried and amendment no.798 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce as amended to Substitute House Bill No. 2382.

The motion by Senator Saldaña carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Substitute House Bill No. 2382 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2382 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2382 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, MacEwen, McCune, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2382 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced family members of transportation network drivers who have passed away including: Mrs. Bessa Keto, the widow of Mr. Amare Gedo; Mr. Robsan Geda, Mr. Gedo's son; and Miss Toran Geda, Mr. Gedo's daughter. The President also recognized Mrs. Khadija Mohamed, the widow of Mr. Mahamadou Kabba.

The President further recognized several members of Mr. Geda's family including: Midhakissa Balcha; Ms. Genet Keto; Bushi Keto; Badhatu Jeldo; and Demitu Argo who were also present in the gallery.

EDITOR'S NOTE: Mr. Amare Geda died while engaged with Rideshare duties in Seattle's SoDo neighborhood on August 11, 2023, the victim of a senseless act of violence.

Mr. Mahamadou Kabba, who advocated on behalf of the rights of Uber drivers, was one of multiple victims of a series of

shootings by a single perpetrator on January 12, 2023 and passed away as the result of the wounds inflicted.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1880, by House Committee on Consumer Protection & Business (originally sponsored by Representatives McClintock, Duerr, Ryu, Leavitt, Waters, Reed, Cheney, and Reeves)

Concerning architecture licensing examinations.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 1880 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1880.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1880 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1880, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2075, by House Committee on Health Care & Wellness (originally sponsored by Representatives Lekanoff, Stearns, Reed, Ortiz-Self, and Reeves)

Concerning licensing of Indian health care providers as establishments.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 2075 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2075.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2075 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2075, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2368, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Gregerson, Eslick, Thai, Low, Senn, Leavitt, Davis, Farivar, Nance, Reed, Doglio, Ramel, Simmons, Ormsby, Street, Goodman, Timmons, Pollet, and Santos)

Assisting refugees and immigrants.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute House Bill No. 2368 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2368.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2368 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2368, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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SUBSTITUTE HOUSE BILL NO. 2045, by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Waters, Chapman, Timmons, Harris, and Reeves)

Creating an adopt a fish barrier program.

The measure was read the second time.

MOTION

Senator Muzzall moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that fish barriers are a serious impediment to salmon and steelhead recovery. The legislature further finds that the state has limited financial resources to address its many challenges and that community members and businesses may want to offer their help in partnership with the state for the removal of fish barriers that are on lands owned by state or local governments. The legislature also finds that it is desirable to coordinate any such private donations with existing fish barrier removal projects on lands owned by state or local governments.

Therefore, the legislature intends to facilitate the removal of fish barriers on lands owned by state or local governments by creating the adopt a fish passage program through which state or local governments may receive such donations and to acknowledge project donors through appropriate public signage.

NEW SECTION. Sec. 2. A new section is added to chapter 77.95 RCW to read as follows:

(1) The Washington state department of transportation and every county, city, and town may accept any money or property donated, devised, or bequeathed to it that is donated for the purpose of fish barrier removal. The Washington state department of transportation and local governments may determine the value of any property donated, devised, or bequeathed for the purpose of recognizing fish barrier removal donations in this section.

(2) Subject to subsection (3) of this section, and upon completion of the related project, the Washington state department of transportation, counties, cities, and towns receiving donations for removing a fish barrier must install a clearly marked sign that acknowledges the individual donors and that is consistent with the requirements of RCW 47.40.105.

(3) Signs installed under subsection (2) of this section must be of a uniform design approved by the recreation and conservation office and may only include the words "adopt-a-fish passage," the names of project donors, and the species of fish affected by the project. Signage is also subject to the following limitations:

(a) The donor's name may not be displayed more predominantly than the remainder of the sign message.

(b) Trademarks or business logos may be displayed.

(c) To the extent that the Washington state department of transportation and local governments determine that the number of donors for individual projects would interfere with the signage requirements of subsection (2) of this section or the requirements of RCW 47.40.105, the Washington state department of transportation and local governments may determine the number of donors listed on signs but must endeavor to recognize the donors that provide the largest donations.

(d) The Washington state department of transportation and local governments receiving private donations under this section

must only install signage pursuant to this section for individual donations that are equal in value to at least \$10,000.

(e) Notwithstanding other provisions of this subsection, a donor is not eligible to have their name displayed on the sign if the applicant's name: (i) Endorses or opposes a particular candidate for public office; (ii) advocates a position on a specific political issue, initiative, referendum, or piece of legislation; (iii) includes a reference to a political party; or (iv) includes a reference to anything that may be considered or construed to be obscene or offensive to the general public.

(4) To the extent feasible and with the goal of expediting fish barrier removals, the Washington state department of transportation, counties, cities, and towns receiving donations under this section must coordinate donations with any grant applications made for state grant funding for fish barrier removal pursuant to RCW 77.95.170. The recreation and conservation office must publish and maintain a list of fish barrier removal projects that are suited to receiving private donations pursuant to this section. Donations received under this section are eligible for use as match for other funding sources, including state and federal grants.

(5) Upon completion of a project funded with private donations pursuant to this section, the Washington state department of transportation or local government that owns the completed project must notify the recreation and conservation office. Upon receiving such a notification, the recreation and conservation office must gather information regarding the project sponsors, location, fish species affected, and the amounts of individual donations that supported the project. The recreation and conservation office must publish and maintain this information with the project list under subsection (4) of this section.

(6) For each individual donation equal to at least \$100,000 in value pursuant to this section, the recreation and conservation office must provide to the donor a recognition plaque that meets the following criteria: (a) The plaque must be signed by the governor; and (b) the plaque must include the name of the donor, the words "adopt-a-fish passage program," the location and name of the project funded, the amount and year of the donation, and the fish species affected.

Sec. 3. RCW 47.40.105 and 1990 c 258 s 3 are each amended to read as follows:

Local government legislative authorities may enact local "adopt-a-highway sign" and "adopt-a-fish passage" programs which are not inconsistent with state or federal law.

NEW SECTION. Sec. 4. A new section is added to chapter 47.40 RCW to read as follows:

The department may participate in an "adopt-a-fish passage" program under section 2 of this act."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 47.40.105; adding a new section to chapter 77.95 RCW; adding a new section to chapter 47.40 RCW; and creating a new section."

Senator Muzzall spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks to Substitute House Bill No. 2045.

The motion by Senator Muzzall carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Muzzall, the rules were suspended, Substitute House Bill No. 2045 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senators Keiser and Trudeau were excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2045 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2045 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Keiser and Trudeau

SUBSTITUTE HOUSE BILL NO. 2045 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:05 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of a brief lunch break and caucuses.

Senator Hasegawa announced a meeting of the Democratic Caucus at 12:25 p.m.

Senator Muzzall announced a meeting of the Republican Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 3:01 p.m. by President Heck.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- SUBSTITUTE HOUSE BILL NO. 1249,
- HOUSE BILL NO. 1455,
- HOUSE BILL NO. 1530,
- HOUSE BILL NO. 1920,
- HOUSE BILL NO. 1954,
- HOUSE BILL NO. 1972,
- HOUSE BILL NO. 1975,
- HOUSE BILL NO. 2111,
- SUBSTITUTE HOUSE BILL NO. 2136,
- SUBSTITUTE HOUSE BILL NO. 2293,

SECOND READING

THIRD SUBSTITUTE HOUSE BILL NO. 1228, by House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Ybarra, Thai, Simmons, Reeves, Reed, Orwall, Ormsby, Taylor, Leavitt, Kloba, Doglio, Berry, Fey, Davis, Ramel, Callan, Bergquist, Fosse, Pollet, Lekanoff, Slatter, Macri, Alvarado, Stonier, Gregerson, and Santos)

Building a multilingual, multiliterate Washington through dual and tribal language education.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Third Substitute House Bill No. 1228 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Third Substitute House Bill No. 1228.

ROLL CALL

The Secretary called the roll on the final passage of Third Substitute House Bill No. 1228 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

THIRD SUBSTITUTE HOUSE BILL NO. 1228, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2217, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Cortes, Senn, Santos, Ormsby, Reed, Fosse, Doglio, and Pollet)

Concerning authority over individuals found guilty of or accused of criminal offenses that occurred when the individual was under age 18.

The measure was read the second time.

MOTION

Senator Boehnke moved that the following amendment no.802 by Senator Boehnke be adopted:

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On page 2, after line 26, strike "A juvenile offender adjudicated of a murder in the first or second degree offense committed at age 14 or older or a juvenile offender adjudicated of a rape in the first degree offense committed at age 15 or older may be committed by the juvenile court to the department for placement in a juvenile rehabilitation facility up to the juvenile offender's 23rd birthday, but not beyond. (c)"

Senator Boehnke spoke in favor of adoption of the amendment. Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no.802 by Senator Boehnke on page 2, after line 26 to Substitute House Bill No. 2217.

The motion by Senator Boehnke did not carry and amendment no.802 was not adopted by voice vote.

MOTION

Senator Gildon moved that the following amendment no.800 by Senator Gildon be adopted:

On page 3, after line 22, strike "adjudicated of a murder in the first or second degree offense committed at age 14 or older"

Senator Gildon spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no.800 by Senator Gildon on page 3, after line 22 to Substitute House Bill No. 2217.

The motion by Senator Gildon did not carry and amendment no.800 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no.801 by Senator Padden be adopted:

On page 3, after line 29, strike "(b) Adjudicated of a rape in the first degree offense committed at age 15 or older, then jurisdiction for parole is automatically extended to include a period of no less than 24 months and no more than 36 months of parole, in no case extending beyond the offender's 25th birthday."

Senator Padden spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Padden on page 3, after line 29 to Substitute House Bill No. 2217.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 20; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen,

Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute House Bill No. 2217 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Salomon and Frame spoke in favor of passage of the bill.

Senators Boehnke, Padden and Gildon spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2217.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2217 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

HOUSE BILL NO. 2217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, by House Committee on Appropriations (originally sponsored by Representatives Farivar, Couture, Mena, Pollet, Taylor, Ortiz-Self, Street, Thai, Reed, Waters, Fosse, Caldier, Simmons, Davis, Alvarado, Schmidt, Ryu, Griffey, Ramel, Barnard, Orwall, Hackney, Bergquist, Walen, Berry, Tharinger, Peterson, Goodman, Volz, Eslick, Stonier, Gregerson, Riccelli, Ormsby, Kloba, Doglio, Bateman, Macri, and Duerr)

Establishing the nothing about us without us act.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Second Engrossed Second Substitute House Bill No. 1541 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez, Kuderer and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Second Substitute House Bill No. 1541.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1541 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, Fortunato, Holy, MacEwen, McCune, Padden, Short and Wagoner

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1999, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Orwall, Leavitt, Ryu, Duerr, Ramos, Morgan, Taylor, Ormsby, Graham, Callan, Rule, Street, Lekanoff, Reeves, Shavers, and Davis)

Concerning fabricated intimate or sexually explicit images and depictions.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Substitute House Bill No. 1999 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1999.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1999 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1999, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1752, by Representatives Dye, Dent, Graham, and Eslick

Modifying the application of the annual consumptive quantity calculation to change applications related to certain water rights held by the United States bureau of reclamation.

The measure was read the second time.

MOTION

On motion of Senator Muzzall, the rules were suspended, House Bill No. 1752 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1752.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1752 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1752, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1917, by Representatives Leavitt, Ybarra, Ryu, Volz, Schmidt, Christian, Slatter, Bateman, Chambers, Reeves, Reed, Graham, Simmons, Jacobsen, Timmons, Macri, Gregerson, Caldier, Tharinger, Nance, Riccelli, Harris, and Shavers

Adopting the physician assistant compact.

The measure was read the second time.

MOTION

On motion of Senator Muzzall, the rules were suspended, House Bill No. 1917 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1917.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1917 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1917, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2226, by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Ortiz-Self, Berry, Gregerson, Ramel, Santos, Reeves, Reed, and Davis)

Concerning collecting data on the H-2A worker program and from certain hand harvesters.

The measure was read the second time.

MOTION

Senator Saldaña moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 50.75 RCW to read as follows:

(1) Whenever the department conducts a field check or field visit of an employer, the department must collect the following information:

(a) The number of H-2A workers the employer has at each work site; and

(b) The actual geographic location of where the H-2A workers are living during their employment with the employer.

(2) The department must compile the information and compare the number of workers sought by an employer on the employer's H-2A application with the number of H-2A workers actually working for the employer.

(3) The department must make the information available to the advisory committee appointed under RCW 50.75.040 on a quarterly basis.

NEW SECTION. Sec. 2. A new section is added to chapter 50.38 RCW to read as follows:

(1) The department must conduct, or cause to be conducted, a comprehensive annual wage survey of non-H-2A workers hand harvesting apples, cherries, pears, and blueberries.

(2) At a minimum, the surveys must:

(a) Gather information on wage rates received for harvesting activities;

(b) Include a question concerning whether the survey respondent made an unemployment insurance claim in the same period of time used to compile any list of unemployment claimants used as a basis for the phone survey described in this section;

(c) Gather information on the respondent's age, gender, and whether the respondent was born in the United States or the number of years the respondent has lived in the United States; and

(d) Gather information on whether the respondent earned the reported wages while working on a farm that employed H-2A workers to do the same kind of work.

(3) The survey must:

(a) Be designed to receive responses from a minimum of 2,800 workers;

(b) Include field surveys designed to receive responses from a minimum of:

(i) 1,200 apple harvesters;

(ii) 200 pear harvesters;

(iii) 200 blueberry harvesters; and

(iv) 350 cherry harvesters.

(4) The survey may use a phone survey to gather the additional responses.

(5) The department must provide \$25 incentive payments for survey respondents who are eligible to respond to the survey.

(6) The department must submit a report to the appropriate committees of the legislature annually by May 1st on surveys conducted under this section. The report must include:

(a) Information about the number of responses; and

(b) Individual responses, without names, including each respondent's answers to the inquiries described in subsection (2) of this section.

NEW SECTION. Sec. 3. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state."

On page 1, line 2 of the title, after "harvesters;" strike the remainder of the title and insert "adding a new section to chapter 50.75 RCW; adding a new section to chapter 50.38 RCW; and creating a new section."

MOTION

Senator Van De Wege moved that the following amendment no.773 by Senator Van De Wege be adopted:

On page 2, line 15, after "harvesters" insert "; and

(c) Use best practices for administering a field survey of unknown populations"

Senator Van De Wege spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no.773 by Senator Van De Wege on page 2, line 15 to the committee striking amendment.

The motion by Senator Van De Wege carried and amendment no.773 was adopted by voice vote.

MOTION

Senator Saldaña moved that the following amendment no.740 by Senator Saldaña be adopted:

On page 2, line 26, after "section" insert ", except that unemployment claim data may be aggregated to the extent necessary to comply with federal law"

Senator Saldaña spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no.740 by Senator Saldaña on page 2, line 26 to the committee striking amendment.

The motion by Senator Saldaña carried and amendment no.740 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce as amended to Substitute House Bill No. 2226.

The motion by Senator Saldaña carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Substitute House Bill No. 2226 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2226.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2226 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1835, by House Committee on Innovation, Community & Economic Development, & Veterans (originally sponsored by Representatives Kretz, Chapman, Maycumber, Tharinger, Harris, and Dent)

Defining frontier counties.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Engrossed Substitute House Bill No. 1835 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1835.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1835 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1835, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2135, by Representatives Stearns, Lekanoff, Reed, Ormsby, Street, Orwall, Doglio, and Reeves

Including federally recognized tribes as part of the Washington emergency management division emergency worker program.

The measure was read the second time.

MOTION

Senator Valdez moved that the following amendment no.710 by Senator Valdez be adopted:

On page 4, line 6, after "tribe" strike all material through "Washington" and insert "as defined in RCW 43.376.010"

On page 8, beginning on line 32, after "tribe" strike all material through "state" on line 33 and insert "as defined in RCW 43.376.010"

On page 9, beginning on line 19, after "tribes" strike all material through "state" on line 20 and insert "as defined in RCW 43.376.010"

Senators Valdez and Wilson, J. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no.710 by Senator Valdez on page 4, line 6 to House Bill No. 2135.

The motion by Senator Valdez carried and amendment no.710 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, House Bill No. 2135 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2135 as amended by the Senate.

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ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2135 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 2135 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2209, by Representatives Thai, Ryu, Gregerson, Senn, Santos, Ramel, Reeves, Morgan, Reed, Fosse, Cortes, Macri, Doglio, Paul, Pollet, and Riccelli

Celebrating lunar new year.

The measure was read the second time.

MOTION

On motion of Senator Nguyen, the rules were suspended, House Bill No. 2209 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2209.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2209 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 2209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1903, by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Berry, Taylor, Stonier, Fitzgibbon, Reed, Street, Callan, Walen, Peterson, Fosse, Reeves, Simmons, Kloba, Mena, Senn, Hackney, Goodman, Thai, Ryu, Cortes, Tharinger,

Alvarado, Ramel, Duerr, Ramos, Bateman, Ormsby, Fey, Rule, Macri, Gregerson, Doglio, Orwall, Bergquist, Berg, Farivar, Ortiz-Self, Lekanoff, Nance, Riccelli, Pollet, and Davis)

Reporting lost or stolen firearms.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no.774 by Senator Fortunato be adopted:

On page 2, line 5, after "up to" strike "\$1,000" and insert "\$500"

On page 2, at the beginning of line 24, strike "\$1,000" and insert "\$500"

Senators Fortunato and Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no.774 by Senator Fortunato on page 2, line 5 to Substitute House Bill No. 1903.

The motion by Senator Fortunato did not carry and amendment no.774 was not adopted by voice vote.

MOTION

Senator McCune moved that the following amendment no.776 by Senator McCune be adopted:

On page 2, line 5, after "\$1,000." insert "If multiple firearms are lost or stolen in a single event, the owner or person who was lawfully in possession of the firearms at the time of loss or theft who fails to report the event shall be subject to a single monetary penalty."

Senators McCune and Dhingra spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no.776 by Senator McCune on page 2, line 5 to Substitute House Bill No. 1903.

The motion by Senator McCune carried and amendment no.776 was adopted by voice vote.

MOTION

Senator McCune moved that the following amendment no.775 by Senator McCune be adopted:

On page 2, after line 5, insert the following:

"(4) The duly constituted licensing authority of any city, town, or political subdivision of this state, upon issuing a firearm dealer's license in accordance with RCW 9.41.110, shall issue the dealer signage the dealer must post in a conspicuous place at each point-of-sale that states in block letters not less than one inch in height: "FAILURE TO KEEP FIREARMS IN SECURE GUN STORAGE, OR SECURED WITH A TRIGGER LOCK OR SIMILAR DEVICE THAT IS DESIGNED TO PREVENT THE UNAUTHORIZED USE OR DISCHARGE OF THE FIREARM MAY SUBJECT YOU TO CRIMINAL PENALTIES.

FAILURE TO REPORT THE LOSS OR THEFT OF A FIREARM MAY SUBJECT YOU TO A CIVIL PENALTY UP TO \$1,000."

ROLL CALL

Senators McCune and Dhingra spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no.775 by Senator McCune on page 2, after line 5 to Substitute House Bill No. 1903.

The motion by Senator McCune carried and amendment no.775 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1903 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senators Padden and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1903 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1903 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1903 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Goodman, Simmons, and Peterson)

Modifying conditions of community custody.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute House Bill No. 2303 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2303.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2303 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Hawkins, McCune, Padden, Schoesler, Short, Torres, Warnick and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1961, by Representatives Low, Walen, Leavitt, Eslick, Sandlin, Paul, Couture, Ramel, Ramos, Bateman, Graham, Cheney, Riccelli, Pollet, and Shavers

Concerning animal cruelty in the first degree.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 1961 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1961.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1961 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1961, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1989, by House Committee on Transportation (originally sponsored by Representatives

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Barkis, Low, Jacobsen, Graham, Sandlin, Bergquist, Robertson, and Hutchins)

Revised for first substitute: Concerning a graffiti abatement and reduction pilot program.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Substitute House Bill No. 1989 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1989.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1989 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Keiser, King, Liias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Torres, Van De Wege, Wagoner, Warnick, Wellman, Wilson, J. and Wilson, L.

Voting nay: Senators Dhingra, Hasegawa, Kauffman, Kuderer, Lovelett, Nguyen, Saldaña, Stanford, Trudeau, Valdez and Wilson, C.

SUBSTITUTE HOUSE BILL NO. 1989, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2467, by House Committee on Health Care & Wellness (originally sponsored by Representatives Macri, Chopp, Thai, Bateman, and Pollet)

Increasing access to the long-term services and supports trust.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Substitute House Bill No. 2467 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

MOTION

On motion of Senator Nobles, Senator Keiser was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2467.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2467 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Keiser

SUBSTITUTE HOUSE BILL NO. 2467, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1939, by House Committee on Postsecondary Education & Workforce (originally sponsored by Representatives Orwall, Rule, Leavitt, Slatter, Bateman, Reed, Jacobsen, Callan, Macri, Donaghy, Doglio, Goodman, Reeves, Riccelli, Shavers, and Hackney)

Adopting the social work licensure compact.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 1939 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1939.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1939 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1939, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2481, by Representatives Volz, Bergquist, Robertson, and Macri

Waiving health benefit premiums in the public employees' benefits board.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, House Bill No. 2481 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2481.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2481 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 2481, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1985, by House Committee on Appropriations (originally sponsored by Representatives Timmons, Leavitt, Fitzgibbon, Ryu, Ramos, Ramel, Bateman, Ormsby, Jacobsen, Callan, Rule, Kloba, Street, Doglio, Fosse, Paul, Bergquist, Goodman, Ortiz-Self, Lekanoff, Reeves, Nance, Riccelli, Hackney, Pollet, and Shavers)

Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, Substitute House Bill No. 1985 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1985.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1985 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1985, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377, by House Committee on Education (originally sponsored by Representatives Santos, Reed, and Ortiz-Self)

Posting of approved courses and providers of continuing education.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28A.410.277 and 2021 c 77 s 1 are each amended to read as follows:

(1) The Washington professional educator standards board must adopt rules for renewal of administrator certificates and teacher certificates that meet the continuing education requirements of this section.

(2) To renew an administrator certificate on or after July 1, 2023, continuing education must meet the following requirements: 10 percent must focus on equity-based school practices, 10 percent must focus on the national professional standards for education leaders, and five percent must focus on government-to-government relationships with federally recognized tribes.

(3) To renew a teacher certificate on or after July 1, 2023, 15 percent of continuing education must focus on equity-based school practices. This subsection (3) does not apply to a person renewing both a teacher certificate and an administrator certificate.

(4)(a) Except as provided under ~~((b))~~ (c) of this subsection (4), continuing education must be provided by one or more of the following entities, if they are an approved clock hour provider:

- (i) The office of the superintendent of public instruction;
- (ii) A school district;
- (iii) An educational service district;
- (iv) A Washington professional educator standards board-approved administrator or teacher preparation program;
- (v) The association of Washington school principals; ~~((f))~~
- (vi) The Washington education association; or

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(vii) Other organizations approved by the Washington professional educator standards board.

(b) ((Continuing)) Beginning with the 2025-26 school year, the professional educator standards board must approve clock hour providers under this section through a revised application process. As part of the revised application process, entities must submit an application to the professional educator standards board that, at a minimum, includes the following:

(i) The entity's mission and vision;
(ii) The entity's experience and expertise in providing professional development to educators generally, as well as specific experience and expertise in equity-based practices;
(iii) Possible subject matter topics of continuing education to be provided by the entity;

(iv) Information on clock hour pricing;
(v) Transcript processes; and
(vi) Other application elements deemed appropriate by the professional educator standards board.

(c) To meet the requirements of subsection (2) of this section, continuing education related to government-to-government relationships with federally recognized tribes must be provided by one or more subject matter experts approved by the governor's office on Indian affairs in collaboration with the tribal leaders congress on education and the office of Native education in the office of the superintendent of public instruction.

((§)) (d) The office of the superintendent of public instruction and the Washington professional educator standards board must maintain a list of subject matter experts approved under (c) of this subsection on their respective websites.

(5) An entity providing an administrator or teacher continuing education program focused on equity-based school practices or the national professional standards for education leaders must publicly post the learning objectives of the program on its website. If the entity does not have a website, it must post the learning objectives of the program in a conspicuous place in the entity's main office and submit a copy of the learning objectives to the Washington professional educator standards board.

(6) Continuing education focused on equity-based school practices must be aligned with the standards ((for cultural competency developed)) of practice developed by the Washington professional educator standards board under RCW 28A.410.260.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.410 RCW to read as follows:

(1) By September 1, 2024, the Washington professional educator standards board must develop a process for the temporary or permanent revocation of continuing education provider status.

(a) Continuing education provider status may be revoked for providers that meet any of the following criteria:

(i) Providers that receive a substantial number of complaints filed against the provider, as determined by the board;

(ii) Providers found to not be in substantial compliance with RCW 28A.410.277; or

(iii) Providers found to offer course material that is not in substantial alignment with the cultural competency, diversity, equity, and inclusion standards of practices adopted in RCW 28A.410.260, as determined by the board.

(b) Entities authorized to submit a complaint under this section are limited to the following:

(i) Educators;
(ii) Local education agencies;
(iii) The office of the superintendent of public instruction;
(iv) Organizations representing principals;
(v) Organizations representing school board members;

(vi) Organizations representing school administrators;
(vii) Labor organizations representing classified instructional staff; and

(viii) Labor organizations representing teachers.

(2) By December 1, 2024, the professional educator standards board in consultation with the office of the superintendent of public instruction must submit to the relevant committees of the legislature a report on how to implement an auditing system of continuing education providers and other recommendations for improving the clock hour system.

(3) For the purposes of this section, "approved provider" and "provider" have the same meaning as "approved in-service education agency" in WAC 181-85-045, but apply only to providers of administrator or teacher continuing education programs focused on either equity-based school practices or the national professional standards for education leaders."

On page 1, line 5 of the title, after "teachers;" strike the remainder of the title and insert "amending RCW 28A.410.277; and adding a new section to chapter 28A.410 RCW."

Senators Wellman and Hawkins spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Second Engrossed Substitute House Bill No. 1377.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Second Engrossed Substitute House Bill No. 1377 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 1377 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute House Bill No. 1377 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator McCune

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- SENATE BILL NO. 5508,
- SENATE BILL NO. 5885,
- SENATE BILL NO. 5886,
- SUBSTITUTE SENATE BILL NO. 5935,
- SENATE BILL NO. 5970,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5974,
- SENATE BILL NO. 5982,
- and ENGROSSED SUBSTITUTE SENATE BILL NO. 6007.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1044, by House Committee on Capital Budget (originally sponsored by Representatives McEntire, Graham, Couture, Sandlin, Walsh, Rude, Caldier, and Santos)

Providing capital financial assistance to small school districts with demonstrated funding challenges.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature intends to create a new grant program through which small, financially distressed school districts that generally do not participate in the current school construction assistance program will be able to get the necessary funds to modernize or rebuild their school buildings.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.525 RCW to read as follows:

(1) Supplementary modernization and new construction grants and planning grants for financially distressed school districts must be awarded and determined in accordance with this section.

(2) Applicant eligibility criteria. Subject to subsection (4) of this section, only school districts that have a student headcount enrollment of 1,000 students or fewer are eligible for grants under this section.

(3) Project eligibility criteria.

(a) Projects funded under this section must meet the following conditions: (i) Projects must comprehensively modernize or replace instructional buildings that are at least 30 years old and that are recorded as poor or unsatisfactory condition by the office of the superintendent of public instruction; and (ii) projects must not exceed 110 percent of the statewide average cost per square foot for new construction or modernization, as applicable, and as estimated by the advisory committee and approved by the office of the superintendent of public instruction.

(b) To meet the project eligibility criteria for comprehensive modernization specified under (a) of this subsection, projects must correct critical physical deficiencies and essential safety concerns, including: (i) Seismic vulnerabilities; (ii) failing or broken building and site systems; (iii) deficiencies of infrastructure and components; (iv) barriers to program accessibility; (v) deteriorated exterior conditions; and (vi) deficiencies in interior classroom spaces. Project approaches may include modernizing, repairing, reconfiguring, or replacing

existing buildings, constructing new buildings, and upgrading deteriorated and outdated site infrastructure.

(c) School districts applying for a grant under this section must submit separate applications for each individual school.

(4) Other eligibility criteria. School districts with incomplete or outdated building inventories, natural hazard assessments, and condition information as required by the office of the superintendent of public instruction are not eligible to apply for construction grants under this section but may apply for planning grants. Building inventory and condition information must be provided by an independent consultant certified by the office of the superintendent of public instruction. A seismic building assessment must be conducted by an engineer licensed as a structural engineer in Washington state.

(5) Eligible use of grants. A grant awarded pursuant to this section may only be used for the following purposes: (a) The collection of the required information in subsection (4) of this section; (b) all predesign and design costs including value engineering and constructability review; and (c) all related costs associated with the project except school district administration costs as determined by the office of the superintendent of public instruction.

(6) Required grant list.

(a) The superintendent of public instruction must propose a list of prioritized planning and construction grants pursuant to this section for school districts meeting the eligibility requirements established in subsection (2) of this section to the governor by September 1st of even-numbered years, beginning on September 1, 2024. This list must include: (i) A description of the proposed project; (ii) the proposed planning grant amount, when applicable; (iii) the proposed construction grant amount, when applicable; (iv) the anticipated school construction assistance program amount; (v) the anticipated local share of project cost; and (vi) the estimated total project cost.

(b) The superintendent of public instruction and the governor may determine the level of funding in their omnibus capital appropriations act requests to support grants under this section, but their funding requests must follow the prioritized list prepared by the advisory committee unless new information determines that a specific project is no longer viable as proposed.

(7) Planning grant requirements and prioritization. Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must assist eligible school districts that are interested in applying for a construction grant under this section by providing technical assistance and planning grants. School districts seeking planning grants under this section must provide a brief statement describing existing school conditions, building system and site deficiencies, current and five-year projected student headcount enrollment, student achievement measures, and financial constraints. If applications for planning grants exceed funds available, the office of the superintendent of public instruction may prioritize planning grant requests with primary consideration given to school district financial capacity and facility conditions.

(8) Construction grant requirements and prioritization.

(a) School districts applying for a construction grant under this section must have received and completed a planning grant under subsection (7) of this section or have completed construction documents including drawings, specifications, total project cost estimates, contract and procurement requirements, and other materials required by the advisory committee, as part of the construction grant application process.

(b) Subject to the availability of amounts appropriated for this specific purpose, the advisory committee must prioritize applications from school districts with the lowest remaining debt

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capacity, most significant building deficiencies, and lowest headcount enrollment. The advisory committee may weigh these factors as appropriate given the pool of applicants and the extent each factor deviates from the statewide average.

(9) Eligibility and prioritization recommendations. The advisory committee may propose changes to the eligibility threshold and grant application prioritization criteria to the legislature as they learn more about the characteristics of school districts that are unable to replace or modernize their aging school facilities.

(10) Share of project costs. School districts receiving a grant under this section must provide a district share in accordance with the following requirements:

(a) Except as provided for under (b) and (c) of this subsection, to receive a grant under this section a school district must provide, for each grant awarded, a district share of project cost equal to at least 50 percent of the district's remaining debt capacity pursuant to RCW 39.36.020.

(b) To the extent that the district share requirement under (a) of this subsection would, at the time of application, require the estimated school district property tax rate increment associated with the grant to exceed a threshold of \$1.75 per \$1,000 of assessed property value, the office of the superintendent of public instruction must reduce the required district share to achieve an estimated property tax rate equal to this threshold.

(c) A school district may use federal funding, other nonstate grant funding, and private donations to pay for its share under this subsection. When calculating a district's share requirement under (a) of this subsection, the superintendent of public instruction must reduce the district's required share in a manner directly proportionate to the amount of nonstate and nonschool district funding provided to support the state grant.

(d) To determine the property tax rate threshold under (b) of this subsection, the office of the superintendent of public instruction must calculate the property tax rate increment associated with the grant based on the estimated annualized debt service costs for general obligation bonds issued with an average maturity of no less than 20 years and the interest rate for state of Washington general obligation bonds issued most closely to the date of application for the grant.

(11) Coordination with the school construction assistance program and local cost share. To the extent that a school district awarded a grant under this section is also eligible for funding under the school construction assistance program provided by RCW 28A.525.162 through 28A.525.180, the office of the superintendent of public instruction must coordinate grant funding between the programs and ensure that total state funding from a grant under this section and a school construction assistance program grant does not exceed total project costs minus the school district's share calculated under subsection (10) of this section. School districts that receive grants under this section may use the grant to fund the required local funding equal to or greater than the difference between the total approved project cost and the amount of state funding assistance computed provided by RCW 28A.525.162 through 28A.525.180. However, school districts coordinating grants provided in this section with school construction assistance program funding are required to contribute not less than the school district's required share as calculated under subsection (10) of this section.

(12) Disbursement of grant funds and reporting requirements. The office of the superintendent of public instruction must award grants under this section to school districts. The grants must not be awarded until the recipient has identified available local and other resources sufficient to complete the approved project

considering the amount of state grant funding. The grant must specify reporting requirements for the district and must include:

(a) Updating all school inventory and condition data considered necessary by the office of the superintendent of public instruction;

(b) Submitting a final project report as specified by the office of the superintendent of public instruction in consultation with the advisory committee and approved by the school facilities citizen advisory panel created under RCW 28A.525.025; and

(c) Implementing and maintaining an asset preservation program for the facility receiving grant funding as required by the office of the superintendent of public instruction's asset preservation program.

(13) For the purposes of this section, "advisory committee" means the advisory committee created under RCW 28A.525.159.

Sec. 3. RCW 28A.525.159 and 2020 c 299 s 1 are each amended to read as follows:

(1) School construction assistance program grants for small school districts and state-tribal education compact schools must be determined in accordance with this section.

(2) Eligibility. School districts and state-tribal education compact schools with enrollments that are less than or equal to one thousand students are eligible for small school district modernization grants. The advisory committee specified in subsection (4)(a) of this section may recommend amendments to the eligibility threshold as they learn more about the characteristics of school districts and state-tribal education compact schools that are unable to modernize their aging school facilities. Districts with incomplete information in the inventory and condition of schools data system are not eligible to apply for construction grants but may apply for planning grants.

(3) The office of the superintendent of public instruction must assist eligible school districts and state-tribal education compact schools that are interested in applying for a small school district modernization grant under this section by providing technical assistance and planning grants within appropriations for this purpose. Districts and state-tribal education compact schools seeking planning grants must provide a brief statement of the school condition, its deficiencies, student enrollment, student achievement measures, and financial limitations of the district or state-tribal education compact school. If applications for planning grants exceed funds available, the office of the superintendent of public instruction may prioritize the recipients of planning grants in order to help districts and state-tribal education compact schools with the most serious apparent building deficiencies, and the most limited financial capacity.

(4) Prioritized construction grants and advisory committee.

(a) The superintendent of public instruction must propose a list of prioritized grants to the governor by September 1st of even-numbered years. The superintendent of public instruction must appoint an advisory committee to separately prioritize applications from small school districts and state-tribal education compact schools and from financially distressed school districts for grants under section 2 of this act. Committee members must have experience in financing, managing, repairing, and improving school facilities in small school districts or state-tribal education compact schools but must not be involved in ~~((a small school district modernization program))~~ grant request under this section or section 2 of this act for the biennium under consideration. The office of the superintendent of public instruction must provide administrative and staff support to the ~~((advisory))~~ advisory committee and coordinate activities to minimize costs to the extent practicable. The office of the superintendent of public instruction in consultation with the advisory committee must design a grant application process with specific criteria for prioritizing grant requests.

(b) The advisory committee created in (a) of this subsection must evaluate final applications from eligible school districts and state-tribal education compact schools. The advisory committee must submit a prioritized list of grants to the superintendent of public instruction. The list must prioritize applications to achieve the greatest improvement of school facilities, in the districts and state-tribal education compact schools with the most limited financial capacity, for projects that are likely to improve student health, safety, and academic performance for the largest number of students for the amount of state grant support. The advisory committee must develop specific criteria to achieve the prioritization. The submitted prioritized list must describe the project, the proposed state funding level, and the estimated total project cost including other funding and in-kind resources. The list must also indicate student achievement measures that will be used to evaluate the benefits of the project. The superintendent of public instruction and the governor may determine the level of funding in their omnibus capital appropriations act requests to support small school district modernization grants, but their funding requests must follow the prioritized list prepared by the advisory committee unless new information determines that a specific project is no longer viable as proposed.

(5) Coordination with the school construction assistance program.

(a) The full administrative and procedural process of school construction assistance program funding under RCW 28A.525.162 through 28A.525.180 may be streamlined by the office of the superintendent of public instruction in order to coordinate eligible school construction assistance program funding with the small school district modernization grants. Such coordination must ensure that total state funding from both grants does not exceed total project costs minus available local resources.

(b) Projects seeking small school district modernization grants must meet the requirements for a school construction assistance program grant except for the following: (i) The estimated cost of the project may be less than forty percent of the estimated replacement value of the facility, and (ii) local funding assistance percentage requirements of the school construction assistance program do not apply. However, available district and state-tribal education compact school resources are considered in prioritizing small school district modernization grants.

(6) Disbursement of grant funds and reporting requirements. The office of the superintendent of public instruction must award grants to school districts and state-tribal education compact schools. The grant must not be awarded until the district or state-tribal education compact school has identified available local and other resources sufficient to complete the approved project considering the amount of the state grant. The grant must specify reporting requirements from the district or state-tribal education compact school, which must include updating all pertinent information in the inventory and condition of schools data system and submitting a final project report as specified by the office of the superintendent of public instruction in consultation with the school facilities ~~((citizens [citizen]))~~ citizen advisory panel specified in RCW 28A.525.025.

Sec. 4. RCW 28A.515.320 and 2023 c 470 s 2006 are each amended to read as follows:

(1) The common school construction fund is to be used exclusively for the purpose of financing the construction of facilities for the common schools. The sources of said fund shall be: ~~((+))~~ (a) Those proceeds derived from sale or appropriation of timber and other crops from school and state land other than those granted for specific purposes; ~~((2))~~ (b) the interest accruing on the permanent common school fund less the

allocations to the state treasurer's service fund pursuant to RCW 43.08.190 and the state investment board expense account pursuant to RCW 43.33A.160 together with all rentals and other revenue derived therefrom and from land and other property devoted to the permanent common school fund; ~~((3))~~ (c) all moneys received by the state from the United States under the provisions of section 191, Title 30, United States Code, Annotated, and under section 810, chapter 12, Title 16, (Conservation), United States Code, Annotated, except moneys received before June 30, 2001, and when thirty megawatts of geothermal power is certified as commercially available by the receiving utilities and the department of commerce, eighty percent of such moneys, under the Geothermal Steam Act of 1970 pursuant to RCW 43.140.030; and ~~((4))~~ (d) such other sources as the legislature may direct. That portion of the common school construction fund derived from interest on the permanent common school fund may be used to retire such bonds as may be authorized by law for the purpose of financing the construction of facilities for the common schools.

(2) The interest accruing on the permanent common school fund less the allocations to the state treasurer's service fund pursuant to RCW 43.08.190 and the state investment board expense account pursuant to RCW 43.33A.160 together with all rentals and other revenues accruing thereto pursuant to subsection ~~((2))~~ (1)(b) of this section prior to July 1, 1967, shall be exclusively applied to the current use of the common schools.

(3) To the extent that the moneys in the common school construction fund are in excess of the amount necessary to allow fulfillment of the purpose of said fund, the excess shall be available for deposit to the credit of the permanent common school fund or available for the current use of the common schools, as the legislature may direct. Any money from the common school construction fund which is made available for the current use of the common schools shall be restored to the fund by appropriation, including interest income forgone, before the end of the next fiscal biennium following such use.

(4) Appropriations for the small school districts project prioritized list submitted under RCW 28A.525.159 are the first priority of appropriations from the common school construction fund, after payment of principal and interest on the bonds authorized in RCW 28A.527.040 from that portion of the common school construction fund derived from interest on the permanent common school fund. Appropriations from the common school construction fund must be prioritized as follows, as fund balance allows:

(a) Beginning with appropriations enacted for the 2025-2027 fiscal biennium, no less than \$60,000,000 of new appropriations in the biennial capital budget must be used to fund the small school districts project prioritized list, and any remaining amounts in the common school construction fund may be appropriated for other common school construction purposes.

(b) Beginning with appropriations enacted for the 2027-2029 fiscal biennium, no less than \$70,000,000 of new appropriations in the biennial capital budget must be used to fund the small school districts project prioritized list, and any remaining amounts in the common school construction fund may be appropriated for other common school construction purposes.

(c) Beginning with appropriations enacted for the 2029-2031 fiscal biennium and each biennium thereafter, no less than \$80,000,000 of new appropriations in the biennial capital budget must be used to fund the small school districts project prioritized list, and any remaining amounts in the common school construction fund may be appropriated for other common school construction purposes."

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On page 1, line 2 of the title, after "challenges;" strike the remainder of the title and insert "amending RCW 28A.525.159 and 28A.515.320; adding a new section to chapter 28A.525 RCW; and creating a new section."

Senators Wellman and Hawkins spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 1044.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute House Bill No. 1044 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator McCune was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1044 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1044 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Hunt and Liias

Excused: Senator McCune

SUBSTITUTE HOUSE BILL NO. 1044 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2019, by House Committee on Appropriations (originally sponsored by Representatives Stearns, Fosse, Berry, Ryu, Ramos, Ramel, Cortes, Morgan, Simmons, Reed, Ormsby, Peterson, Callan, Timmons, Kloba, Street, Donaghy, Gregerson, Orwall, Goodman, Ortiz-Self, Lekanoff, Riccelli, Reeves, Santos, Hackney, Pollet, and Davis)

Establishing a Native American apprentice assistance program.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Engrossed Substitute House Bill No. 2019 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2019.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2019 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator McCune

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2019, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, by House Committee on Appropriations (originally sponsored by Representatives Macri, Riccelli, Simmons, Fitzgibbon, Berry, Alvarado, Bateman, Ormsby, Doglio, Reed, Callan, Stonier, Tharinger, and Bergquist)

Improving consumer affordability through the health care cost transparency board.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Second Engrossed Substitute House Bill No. 1508 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 1508.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute House Bill No. 1508 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 1; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King,

Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Padden and Schoesler
 Absent: Senator Van De Wege
 Excused: Senator McCune

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- SENATE BILL NO. 5647,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5793,
- SUBSTITUTE SENATE BILL NO. 5834,
- SUBSTITUTE SENATE BILL NO. 5840,
- SENATE BILL NO. 5843,
- SENATE BILL NO. 5883,
- SECOND SUBSTITUTE SENATE BILL NO. 5893,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5973,
- SENATE BILL NO. 5979,
- SUBSTITUTE SENATE BILL NO. 5980,
- ENGROSSED SENATE BILL NO. 5997,
- SENATE BILL NO. 6017,
- SUBSTITUTE SENATE BILL NO. 6060,
- ENGROSSED SENATE BILL NO. 6095,
- and SENATE BILL NO. 6234.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2124, by House Committee on Appropriations (originally sponsored by Representatives Eslick, Senn, Leavitt, Chapman, Reed, Ramel, Callan, Rule, Goodman, Tharinger, Wylie, Timmons, Stonier, Reeves, and Kloba)

Concerning state long-term care insurance.

The measure was read the second time.

MOTION

Senator Wilson, C. moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.216.136 and 2023 c 294 s 1 and 2023 c 222 s 3 are each reenacted and amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures established by the department and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by P.L. 113-186, authorizations for the working connections child care subsidy are effective for 12 months beginning July 1, 2016.

(a) A household's 12-month authorization begins on the date that child care is expected to begin.

(b) If a newly eligible household does not begin care within 12 months of being determined eligible by the department, the household must reapply in order to qualify for subsidy.

(3)(a) The department shall establish and implement policies in the working connections child care program to allow eligibility for families with children who:

(i) In the last six months have:

(A) Received child protective services as defined and used by chapters 26.44 and 74.13 RCW;

(B) Received child welfare services as defined and used by chapter 74.13 RCW;

(C) Received services through a family assessment response as defined and used by chapter 26.44 RCW; or

(D) A parent or guardian participating in a specialty court or therapeutic court or who is a listed victim in a case in a specialty court or therapeutic court;

(ii) Have been referred for child care as part of the family's case management as defined by RCW 74.13.020 or as part of the specialty court or therapeutic court's proceedings; and

(iii) Are residing with a biological parent or guardian.

(b) Families who are eligible for working connections child care pursuant to this subsection do not have to keep receiving services or keep participating in a specialty court or therapeutic court identified in this subsection to maintain 12-month authorization.

(4)(a) Beginning July 1, 2021, and subject to the availability of amounts appropriated for this specific purpose, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is in a state registered apprenticeship program or is a full-time student of a community, technical, or tribal college and is enrolled in:

(i) A vocational education program that leads to a degree or certificate in a specific occupation; or

(ii) An associate degree program.

(b) An applicant or consumer is a full-time student for the purposes of this subsection if the applicant or consumer meets the college's definition of a full-time student.

(c) Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a waitlist for working connections child care benefits.

(d) Subject to the availability of amounts appropriated for this specific purpose, the department may extend the provisions of this subsection (4) to full-time students who are enrolled in a bachelor's degree program or applied baccalaureate degree program.

(5) The department may not consider the immigration status of an applicant or consumer's child when determining eligibility for working connections child care benefits.

(6) The department must consider an applicant or consumer's participation in the birth to three early childhood education and assistance program or the early head start program as an approved activity when determining eligibility for working connections child care benefits.

(7)(a) An applicant or consumer is eligible to receive working connections child care benefits for the care of one or more eligible children for the first 12 months of the applicant's or consumer's enrollment in a state registered apprenticeship program under chapter 49.04 RCW when:

FIFTY SECOND DAY, FEBRUARY 28, 2024

(i) The applicant or consumer's household annual income adjusted for family size does not exceed 75 percent of the state median income at the time of application, or, beginning July 1, 2027, does not exceed 85 percent of the state median income if funds are appropriated for the purpose of RCW 43.216.1368(4);

(ii) The child receiving care is: (A) Less than 13 years of age; or (B) less than 19 years of age and either has a verified special need according to department rule or is under court supervision; and

(iii) The household meets all other program eligibility requirements.

(b) The department must adopt a copayment model for benefits granted under this subsection, which must align with any copayment identified or adopted for households with the same income level under RCW 43.216.1368.

~~((7))~~ (8)(a) The department must extend the homeless grace period, as adopted in department rule as of January 1, 2020, from a four-month grace period to a 12-month grace period.

(b) For the purposes of this section, "homeless" means being without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (42 U.S.C. Sec. 11434a) as it existed on January 1, 2020.

~~((8))~~ (9) For purposes of this section, "authorization" means a transaction created by the department that allows a child care provider to claim payment for care. The department may adjust an authorization based on a household's eligibility status.

Sec. 2. RCW 43.216.1364 and 2023 c 222 s 2 are each amended to read as follows:

(1) Beginning October 1, 2023, a family is eligible for working connections child care when the household's annual income is at or below 85 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision;

(b) The applicant or consumer is employed (~~in a licensed child care center or family home provider~~), as verified in the agency's electronic workforce registry, in a:

(i) Licensed or certified child care center or family home provider;

(ii) Early childhood education and assistance program or birth to three early childhood education and assistance program; or

(iii) Head start or early head start program or a successor federal program; and

(c) The household meets all other program eligibility requirements.

(2) The department must waive the copayment to the extent allowable under federal law; otherwise, a maximum of \$15 for any applicant or consumer that meets the requirements under this section.

Sec. 3. RCW 43.216.775 and 2021 c 199 s 106 are each amended to read as follows:

~~((Beginning July 1, 2023, and subject to the availability of amounts appropriated for this specific purpose, rates))~~ (1) Rates paid under RCW (~~43.216.579, 43.216.585,~~) 43.216.592(~~and 43.216.578~~) must be adjusted every two years according to an inflationary increase. The inflationary increase must be calculated by applying the rate of the increase in the inflationary adjustment index to the rates established (~~in RCW 43.216.579, 43.216.585,~~) pursuant to RCW 43.216.592(~~and 43.216.578. Any~~).

(2) Subject to the availability of amounts appropriated for this specific purpose, rates paid under RCW 43.216.579, 43.216.585, and 43.216.578 must be adjusted every two years according to an inflationary increase. The inflationary increase must be calculated by applying the rate of the increase in the inflationary adjustment

index to the rates established pursuant to RCW 43.216.579, 43.216.585, and 43.216.578.

(3) Inflationary increases under subsection (1) of this section and any funded inflationary increase under subsection (2) of this section must be included in the rate used to determine inflationary increases in subsequent years.

(4) For the purposes of this section, "inflationary adjustment index" means the implicit price deflator averaged for each fiscal year, using the official current base rate, compiled by the bureau of economic analysis, United States department of commerce.

Sec. 4. RCW 43.216.--- and 2024 c ... (HB 2111) s 4 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is in a state registered apprenticeship program or is a full-time student of a community, technical, or tribal college and is enrolled in:

(i) A vocational education program that leads to a degree or certificate in a specific occupation; or

(ii) An associate degree program.

(b) An applicant or consumer is a full-time student for the purposes of this subsection if the applicant or consumer meets the college's definition of a full-time student.

~~((2))~~ (c) Subject to the availability of amounts appropriated for this specific purpose, the department may extend the provisions of this subsection to full-time students who are enrolled in a bachelor's degree program or applied baccalaureate degree program.

(2) The department must consider an applicant or consumer's participation in the birth to three early childhood education and assistance program or the early head start program as an approved activity when determining eligibility for working connections child care benefits.

NEW SECTION. Sec. 5. This act takes effect November 1, 2024.

NEW SECTION. Sec. 6. (1) Section 4 of this act is null and void if chapter . . . (House Bill No. 2111), Laws of 2024 is not enacted by November 1, 2024.

(2) Section 1 of this act is null and void if section 4 of this act takes effect.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 43.216.1364, 43.216.775, and 43.216.---; reenacting and amending RCW 43.216.136; creating new sections; and providing an effective date."

Senator Wilson, C. spoke in favor of adoption of the committee striking amendment.

Senator Hawkins spoke on adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Second Substitute House Bill No. 2124.

The motion by Senator Wilson, C. carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Second Substitute House Bill No. 2124 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senator Van De Wege was excused.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2124.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2124 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Dozier, Fortunato, Hawkins, Holy, Padden, Schoesler, Short and Wilson, L.

Excused: Senators McCune and Van De Wege

SECOND SUBSTITUTE HOUSE BILL NO. 2124, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1983, by Representatives Simmons, Goodman, Reed, and Davis

Concerning the criminal justice treatment account.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, House Bill No. 1983 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson, Wilson, L. and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1983.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1983 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators McCune and Van De Wege

HOUSE BILL NO. 1983, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Pedersen, at the urging of the President, reminded the body of a meeting of the Committee on Rules at 6 o'clock p.m.

MOTION

At 5:43 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Thursday, February 29, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, February 29, 2024

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Landon Grant and Miss Sariah Weller, presented the Colors.

Page Mr. Ari Yamashita led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Chad Johnson of Grace Lutheran Church, Des Moines, guest of Senator Keiser.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 28, 2024

MR. PRESIDENT:

The Speaker has signed:

- HOUSE BILL NO. 1879,
- HOUSE BILL NO. 1890,
- HOUSE BILL NO. 1898,
- SUBSTITUTE HOUSE BILL NO. 1947,
- HOUSE BILL NO. 1948,
- HOUSE BILL NO. 1978,
- HOUSE BILL NO. 1987,
- SUBSTITUTE HOUSE BILL NO. 2015,
- SUBSTITUTE HOUSE BILL NO. 2086,
- ENGROSSED HOUSE BILL NO. 2088,
- SUBSTITUTE HOUSE BILL NO. 2156,
- SUBSTITUTE HOUSE BILL NO. 2165,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTIONS

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of a floor resolution.

EDITOR'S NOTE: Senate Rule 20 requires floor resolutions to be submitted at least twenty-four hours prior to consideration.

Senator Fortunato moved adoption of the following resolution:

SENATE RESOLUTION
8684

By Senators Fortunato, Stanford, Torres, and Warnick

WHEREAS, There are nearly 7,000 diseases and conditions considered rare (each affecting fewer than 200,000 Americans) in the United States, according to the National Institutes of Health; and

WHEREAS, While each of these diseases may affect small numbers of people, rare diseases as a group affect 25,000,000-30,000,000 Americans and 750,000 Washingtonians; and

WHEREAS, Many rare diseases are serious and debilitating conditions that have a significant impact on the lives of those affected; and

WHEREAS, The Food and Drug Administration has approved drugs and biologics for more than 880 rare disease indications, but millions of Americans still have rare diseases for which there is no approved treatment; and

WHEREAS, Individuals and families affected by rare diseases often experience problems such as diagnosis delay, difficulty finding a medical expert, and lack of access to treatments or ancillary services; and

WHEREAS, While the public is familiar with some rare diseases and sympathetic to those affected, many patients and families affected by less widely known rare diseases bear a large share of the burden of funding research and raising public awareness to support the search for treatments; and

WHEREAS, Thousands of residents of Washington are among those affected by rare diseases since nearly one in 10 Americans has a rare disease; and

WHEREAS, The Orphan Drug Act has encouraged and promoted the discovery and development of biopharmaceuticals designed to treat and even cure rare diseases; and

WHEREAS, Many of the world-leading academic institutions, academic medical centers, biotech companies, and pharmaceutical companies conducting research and seeking cures for rare diseases are doing so in Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate commend the endeavor of finding cures for rare diseases and encourage all Washingtonians to recognize the struggle of those afflicted and their families and commit to a future of hope through compassionate care for our neighbors and scientific discovery.

Senator Fortunato spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8684.

The motion by Senator Fortunato carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced representatives involved in rare disease research including: Ms. Lindsey Topping-Schuetz; Ms. Carolina Sommer; Ms. Sabrina Castillote; Ms. Sandra Sermone; and Ms. Kari Cunningham-Rosvik, guests of Senator Fortunato, who were seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Travis A. Exstrom, Senate Gubernatorial Appointment No. 9187, be confirmed as a member of the Highline College Board of Trustees.

Senator Keiser spoke in favor of the motion.

MOTIONS

On motion of Senator Nobles, Senators Hunt, Kauffman and Saldaña were excused.

On motion of Senator Wagoner, Senator Fortunato was excused.

APPOINTMENT OF TRAVIS A. EXSTROM

The President declared the question before the Senate to be the confirmation of Travis A. Exstrom, Senate Gubernatorial Appointment No. 9187, as a member of the Highline College Board of Trustees.

The Secretary called the roll on the confirmation of Travis A. Exstrom, Senate Gubernatorial Appointment No. 9187, as a member of the Highline College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

Travis A. Exstrom, Senate Gubernatorial Appointment No. 9187, having received the constitutional majority was declared confirmed as a member of the Highline College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Christina Blocker, Senate Gubernatorial Appointment No. 9193, be confirmed as a member of the Bates Technical College Board of Trustees.

Senator Trudeau spoke in favor of the motion.

APPOINTMENT OF CHRISTINA BLOCKER

The President declared the question before the Senate to be the confirmation of Christina Blocker, Senate Gubernatorial Appointment No. 9193, as a member of the Bates Technical College Board of Trustees.

The Secretary called the roll on the confirmation of Christina Blocker, Senate Gubernatorial Appointment No. 9193, as a member of the Bates Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Liias,

Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

Christina Blocker, Senate Gubernatorial Appointment No. 9193, having received the constitutional majority was declared confirmed as a member of the Bates Technical College Board of Trustees.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1146, by Representatives Paul, Steele, Ramel, Taylor, Callan, Rude, Timmons, Chopp, Lekanoff, Duerr, Ramos, Shavers, Stonier, Pollet, Santos, Riccelli, and Ormsby

Notifying high school students and their families about available dual credit programs and any available financial assistance.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 1146 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1146.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1146 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

HOUSE BILL NO. 1146, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608, by House Committee on Education (originally sponsored by Representatives Bronoske, Simmons, Duerr, Ramel, Wylie, Paul, Jacobsen, Macri, Kloba, Leavitt, and Reed)

FIFTY THIRD DAY, FEBRUARY 29, 2024

Expanding access to anaphylaxis medications in schools.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute House Bill No. 1608 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1608.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1608 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1916, by House Committee on Appropriations (originally sponsored by Representatives Senn, Couture, Leavitt, Taylor, Paul, Callan, Ramos, Cortes, Reed, Fey, Timmons, Street, Doglio, Simmons, Wylie, Reeves, Alvarado, Nance, Riccelli, Fosse, Pollet, and Shavers)

Concerning funding for the early support for infants and toddlers program.

The measure was read the second time.

MOTION

On motion of Senator Frame, the rules were suspended, Substitute House Bill No. 1916 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1916.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1916 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

SUBSTITUTE HOUSE BILL NO. 1916, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1929, by House Committee on Appropriations (originally sponsored by Representatives Cortes, Eslick, Ortiz-Self, Leavitt, Duerr, Ramel, Slatter, Taylor, Orwall, Ryu, Reed, Simmons, Ormsby, Fey, Callan, Peterson, Timmons, Kloba, Macri, Street, Gregerson, Doglio, Paul, Chopp, Mena, Goodman, Lekanoff, Reeves, Fosse, Pollet, and Davis)

Supporting young adults following inpatient behavioral health treatment.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Second Substitute House Bill No. 1929 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1929.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1929 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

SECOND SUBSTITUTE HOUSE BILL NO. 1929, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2260, by Representatives Waters, Reeves, Leavitt, Kloba, and Cheney

Establishing civil penalties for the unlawful sale or supply of alcohol to minors.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2260 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2260.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2260 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

HOUSE BILL NO. 2260, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2110, by Representatives Nance, Simmons, Callan, Lekanoff, and Reeves

Reorganizing statutory requirements governing high school graduation.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 2110 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2110.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2110 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

HOUSE BILL NO. 2110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2127, by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Schmidt, Berry, Leavitt, Reed, Ormsby, Graham, and Pollet)

Concerning workers' compensation incentives to return to work.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 2127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2127.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2127 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

SUBSTITUTE HOUSE BILL NO. 2127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2335, by House Committee on Education (originally sponsored by Representatives Santos, Lekanoff, Nance, and Reed)

Concerning state-tribal education compacts.

The measure was read the second time.

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MOTION

On motion of Senator Wellman, the rules were suspended, Substitute House Bill No. 2335 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2335.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2335 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

SUBSTITUTE HOUSE BILL NO. 2335, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956, by House Committee on Appropriations (originally sponsored by Representatives Leavitt, Griffey, Ryu, Couture, Ramel, Slatter, Reed, Ormsby, Barnard, Callan, Timmons, Kloba, Cheney, Doglio, Paul, Berg, Lekanoff, Reeves, Riccelli, Wylie, Hackney, Pollet, and Shavers)

Addressing fentanyl and other substance use prevention education.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that overdoses and overdose deaths, particularly from synthetic opioids, have increased in recent years. According to the federal centers for disease control and prevention, among persons aged 14 through 18, overdose deaths increased 94 percent from 2019 to 2020 and 20 percent from 2020 to 2021. In 2021, over 75 percent of all drug overdose deaths involved opioids, with synthetic opioids, including fentanyl, accounting for nearly 88 percent of those deaths. Between 2022 and 2023, Washington saw the largest increase in overdose deaths of any state at 40 percent.

(2) The legislature recognizes that fatal overdose risk among adolescents is increasing due to widespread availability of illicitly

manufactured fentanyl, proliferation of counterfeit pills resembling prescription drugs but containing illicit drugs, and ease of purchasing pills through social media. The United States drug enforcement administration states that there is significant risk that illegal drugs have been intentionally contaminated with fentanyl. As a result, many young people may ingest a lethal dose without knowing that they are consuming fentanyl.

(3) The legislature acknowledges that the level of public health crisis created by use of fentanyl and other synthetic opioids requires an immediate, substantial, and coordinated effort by national, state, and local public health, social service, and educational agencies working together.

(4) The legislature also acknowledges that the popularity of drugs grows and wanes forming distinct drug epidemics, similar to disease epidemics. As the popularity and availability of synthetic opioids wanes, it is likely that some other substance will pose the next acute public health crisis.

(5) Therefore, in order to combat the current public health crisis of abuse of fentanyl and other synthetic opioids, and to be prepared to address the next drug epidemic before it reaches crisis level, the legislature intends to direct the state department of health to deploy a statewide substance use prevention and awareness campaign that evolves to address the substance or substances with the greatest impact on the health of Washington youth and their families, diverse regions and communities, and the broader public. The legislature also intends for the public education system to actively incorporate campaign messages and materials in classrooms, as well as in family and community communications.

NEW SECTION. Sec. 2. A new section is added to chapter 43.70 RCW to read as follows:

(1) The department shall develop, implement, and maintain a statewide drug overdose prevention and awareness campaign to address the drug overdose epidemic.

(2)(a) The campaign must educate the public about the dangers of methamphetamines and opioids, including fentanyl, and the harms caused by drug use. The campaign must include outreach to both youth and adults aimed at preventing substance use and overdose deaths.

(b) The department, in consultation with the health care authority, may also include messaging focused on substance use disorder and overdose death prevention, resources for addiction treatment and services, and information on immunity for people who seek medical assistance in a drug overdose situation pursuant to RCW 69.50.315.

(3) The 2024 and 2025 campaigns must focus on increasing the awareness of the dangers of fentanyl and other synthetic opioids, including the high possibility that other drugs are contaminated with synthetic opioids and that even trace amounts of synthetic opioids can be lethal.

(4) Beginning June 30, 2025, and each year thereafter, the department must submit a report to the appropriate committees of the legislature on the content and distribution of the statewide drug overdose prevention and awareness campaign. The report must include a summary of the messages distributed during the campaign, the mediums through which the campaign was operated, and data on how many individuals received information through the campaign. The department must identify measurable benchmarks to determine the effectiveness of the campaign and recommend whether the campaign should continue and if any changes should be made to the campaign. The report must be submitted in compliance with RCW 43.01.036.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The office of the superintendent of public instruction shall collaborate with the department of health, the health care authority, other state agencies, and educational service districts to develop age-appropriate substance use prevention and awareness materials for school and classroom uses. These materials must be periodically updated to align with substance use prevention and awareness campaigns implemented by the department of health and the health care authority.

(2) The office of the superintendent of public instruction shall actively distribute the materials developed under subsection (1) of this section to school districts, public schools, educational service districts, and community-based organizations that provide extended learning opportunities, and strongly encourage the incorporation of age-appropriate materials in classrooms, as well as in family and community communications.

NEW SECTION. Sec. 4. (1) The office of the superintendent of public instruction shall collaborate with the department of health, the health care authority, other state agencies, and educational service districts to develop school and classroom materials on the lethality of fentanyl and other opioids in coordination with the public health campaign created in section 2 of this act. The office of the superintendent of public instruction must make these materials available to school districts and public schools.

(2) By December 1, 2025, the office of the superintendent of public instruction shall adjust the state health and physical education learning standards for middle and high school students to add opioids to the list of drugs included in drug-related education and update the school and classroom materials developed under subsection (1) of this section to reflect the adjusted standards required by this subsection (2). The office of the superintendent of public instruction must make these materials available to school districts and public schools.

(3) This section expires July 1, 2026.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 7. This act may be known and cited as the Lucas Petty act."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "adding a new section to chapter 43.70 RCW; adding a new section to chapter 28A.300 RCW; creating new sections; providing an expiration date; and declaring an emergency."

Senators Wellman and Hawkins spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed Second Substitute House Bill No. 1956.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute House Bill No. 1956 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Hawkins and Wilson, L. spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senators Nguyen and Robinson were excused.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1956 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1956 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RULING BY THE PRESIDENT

The President respectfully reminded the body that the Rules of the Senate prohibit senators from addressing or acknowledging guests and visitors in the gallery, a duty assigned to the presiding officer.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the family members of Mr. Lucas Daniel Trujillo-Petty, the namesake of the Lucas Petty Act, a Washington Virtual Academy (WAVA) student who passed away October 31, 2022 in Tacoma at the age of sixteen. Present in the gallery were Mr. Trujillo-Petty's mother, Ms. Maria Petty, and his grandfather, Mr. Daniel Trujillo.

The Senate rose in recognition of the Petty and Trujillo families and in remembrance of Mr. Lucas Daniel Trujillo-Petty.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2003, by House Committee on Finance (originally sponsored by Representatives Connors, Leavitt, Klicker, Couture, Schmidt, Chapman, Graham, Peterson, Sandlin, Reeves, and Shavers)

Concerning an exemption to the leasehold excise tax for leases on public lands.

The measure was read the second time.

MOTION

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On motion of Senator Fortunato, the rules were suspended, Engrossed Substitute House Bill No. 2003 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fortunato and Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2003.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2003 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2003, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2020, by House Committee on Innovation, Community & Economic Development, & Veterans (originally sponsored by Representatives Timmons, Abbarno, Leavitt, Ryu, Ramel, Reed, Ormsby, Rule, Donaghy, Doglio, Cheney, Reeves, Wylie, Paul, and Shavers)

Creating a state administered public infrastructure assistance program within the emergency management division.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Substitute House Bill No. 2020 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2020.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2020 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon,

Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt, Kauffman and Saldaña

SUBSTITUTE HOUSE BILL NO. 2020, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2428, by House Committee on Local Government (originally sponsored by Representatives Klicker, Rude, and Springer)

Allowing cities to voluntarily share certain sales and use tax revenue.

The measure was read the second time.

MOTION

On motion of Senator Dozier, the rules were suspended, Substitute House Bill No. 2428 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2428.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2428 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt and Saldaña

SUBSTITUTE HOUSE BILL NO. 2428, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2091, by House Committee on State Government & Tribal Relations (originally sponsored by Representatives Bronoske, Griffey, Leavitt, Fitzgibbon, Chapman, Reed, Ormsby, Ramel, Callan, Rule, Timmons, Bergquist, Goodman, Rude, Fosse, Nance, Ryu, Schmidt, Stearns, Waters, Paul, Reeves, and Kloba)

Establishing a fallen firefighter memorial.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Substitute House Bill No. 2091 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2091.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2091 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hunt and Saldaña

SUBSTITUTE HOUSE BILL NO. 2091, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2147, by House Committee on Appropriations (originally sponsored by Representatives Dent, Chapman, Schmick, and Reeves)

Concerning agriculture pest and disease response.

The measure was read the second time.

MOTION

Senator Van De Wege moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that Washington agriculture is complex and highly diverse, producing more than 300 agricultural commodities on over 35,900 farms. Agricultural production in Washington is highly valued, generating \$12,800,000,000 per year in production value, not including over \$17,000,000,000 in food and agricultural products that pass through Washington's ports annually.

(2) The legislature also finds that the Washington state department of agriculture's statutory duties include monitoring and responding to new, emerging, and transboundary plant and animal pests and diseases. Pest and disease challenges, to the state's food systems, public health, and the environment, have increased in frequency and severity due to changing climate patterns and global trade flows.

(3) In order to better protect Washington's food and agricultural economy, public health, and the environment, the legislature intends to provide more reliable and readily available funding to

prevent, quickly detect, and rapidly respond to emerging threats from agricultural pests and diseases.

NEW SECTION. Sec. 2. (1) The agricultural pest and disease response account is created in the state treasury. All receipts from moneys received pursuant to section 3 of this act, moneys appropriated to the account by the legislature, or moneys directed to the account from any other lawful source, for the purpose of funding emerging agricultural pest and disease response activities, must be deposited into the account. Moneys in the account may be spent only after appropriation.

(2) Following a declaration of emergency under RCW 17.24.171 or issuance of a quarantine order under RCW 16.36.010 or 17.24.041, expenditures from the account may be used only for activities necessary to respond to emerging agricultural pest and disease threats in order to protect the food and agricultural economy of the state, the public health of the state, or the environment of the state including, but not limited to, actions authorized under this chapter and chapters 15.08, 16.36, 16.38, and 17.24 RCW.

(3) By October 1st following any fiscal year in which expenditures were made from the account, the department must provide the director of the office of financial management with a close-out cost summary of expenditures authorized for that fiscal year.

NEW SECTION. Sec. 3. Upon the issuance of a declaration of emergency under RCW 17.24.171 or a quarantine order under RCW 16.36.010 or 17.24.041, the state treasurer shall transfer from the general fund to the agricultural pest and disease response account created in section 2 of this act those amounts necessary to bring the balance of the agricultural pest and disease response account to \$2,000,000, based upon the determination of the transfer amount from the office of financial management. The office of financial management must determine the fund balance of the agricultural pest and disease response account as of the previous fiscal month before the issuance of a declaration of emergency or a quarantine order. The office of financial management must promptly notify the state treasurer and the department of the account balance and the necessary transfer amount once a determination is made. A transfer based on the determination by the office of financial management may be made only once every fiscal year.

Sec. 4. RCW 17.24.171 and 2003 c 314 s 6 are each amended to read as follows:

(1) If the director determines that there exists an imminent danger of an infestation of plant pests or plant diseases that seriously endangers the agricultural or horticultural industries of the state, or that seriously threatens life, health, economic well-being, or the environment, the director shall request the governor to order emergency measures to control the pests or plant diseases under RCW 43.06.010(13). The director's findings shall contain an evaluation of the affect of the emergency measures on public health.

(2) If an emergency is declared pursuant to RCW 43.06.010(13), the director may appoint a committee to advise the governor through the director and to review emergency measures necessary under the authority of RCW 43.06.010(13) and this section and make subsequent recommendations to the governor. ~~((The committee shall include representatives of the agricultural industries, state and local government, public health interests, technical service providers, and environmental organizations.))~~ Invitations to participate on the committee must include representatives of the affected agricultural industries, state and local government, federally recognized tribes, public health interests, technical service providers, and environmental organizations.

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(3) Upon the order of the governor of the use of emergency measures, the director is authorized to implement the emergency measures to prevent, control, or eradicate plant pests or plant diseases that are the subject of the emergency order. Such measures, after thorough evaluation of all other alternatives, may include the aerial application of pesticides.

(4) Upon the order of the governor of the use of emergency measures, the director is authorized to enter into agreements with individuals, companies, or agencies, to accomplish the prevention, control, or eradication of plant pests or plant diseases, notwithstanding the provisions of chapter 15.58 or 17.21 RCW, or any other statute.

(5) The director shall continually evaluate the emergency measures taken and report to the governor at intervals of not less than ~~((ten))~~ 60 days. The director shall immediately advise the governor if he or she finds that the emergency no longer exists or if certain emergency measures should be discontinued.

NEW SECTION. Sec. 5. Sections 2 and 3 of this act are each added to chapter 43.23 RCW."

On page 1, line 1 of the title, after "response;" strike the remainder of the title and insert "amending RCW 17.24.171; adding new sections to chapter 43.23 RCW; and creating a new section."

Senator Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks to Substitute House Bill No. 2147.

The motion by Senator Van De Wege carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Substitute House Bill No. 2147 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2147 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2147 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE HOUSE BILL NO. 2147 as amended by the Senate, having received the constitutional majority, was declared

passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2318, by Representatives Orcutt, Wylie, Cheney, and Abbarno

Concerning state route number 501.

The measure was read the second time.

MOTION

On motion of Senator Shewmake, the rules were suspended, House Bill No. 2318 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2318.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2318 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

HOUSE BILL NO. 2318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Gildon: "As you know Leap Year only comes around once every four years so it is not very often that you come across someone who has a birthday on Leap Year. So, I would just like to rise today and honor a man who has meant a great deal to me over my life. Someone, there is basically two people in my life who have served as role models for me and examples for how to live a good life, and this is one of them. And it's my father-in-law. He is actually turning twenty today. And so, I just wanted to, hope you'll join me in wishing my father-in-law, Marshall, a 'Happy Twentieth', and, in four more years he will technically be old enough to purchase alcohol. So, Happy Birthday."

The Senate recognized Mr. Marshall S. Bennett, the father-in-law of Senator Gildon, on the occasion of the twentieth anniversary of his Leap Day birth.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2214, by House Committee on Appropriations (originally sponsored by Representatives Slatter, Bergquist, Chopp, Ramel, Reeves, Paul,

Morgan, Gregerson, Ormsby, Alvarado, Reed, Fosse, Macri, Goodman, Pollet, Leavitt, Timmons, Davis, Riccelli, and Duerr)

Permitting beneficiaries of public assistance programs to automatically qualify as income-eligible for the purpose of receiving the Washington college grant.

The measure was read the second time.

MOTION

Senator Braun moved that the following amendment no. 844 by Senator Braun be adopted:

On page 2, line 9, after "assistance" insert "and have received a certificate confirming eligibility from the office in accordance with RCW 28B.92.225"

On page 2, line 25, after "74.08A.120" insert "and have received a certificate confirming eligibility from the office in accordance with RCW 28B.92.225"

On page 4, line 1, after "28B.92.200(5)(a)" strike "(iii) or (iv)" and insert "(ii), (iii), or (iv)"

Senators Braun and Holy spoke in favor of adoption of the amendment.

Senator Randall spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 844 by Senator Braun on page 2, line 9 to Second Substitute House Bill No. 2214.

The motion by Senator Braun did not carry and amendment no. 844 was not adopted by voice vote.

MOTION

On motion of Senator Randall, the rules were suspended, Second Substitute House Bill No. 2214 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Randall spoke in favor of passage of the bill.

Senators Holy, Wagoner and Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2214.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2214 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SECOND SUBSTITUTE HOUSE BILL NO. 2214, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589, by House Committee on Environment & Energy (originally sponsored by Representatives Doglio, Fitzgibbon, Berry, Alvarado, Bateman, Ramel, Peterson, Lekanoff, Hackney, Macri, and Kloba)

Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future.

The measure was read the second time.

MOTION

Senator Nguyen moved that the following committee striking amendment by the Committee on Environment, Energy & Technology be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the state's gas and electrical companies face transformational change brought on by new technology, emerging opportunities for customers, and state clean energy laws. Chapter 19.405 RCW, the Washington clean energy transformation act, and chapter 70A.65 RCW, the Washington climate commitment act, require these companies to find innovative and creative solutions to equitably serve their customers, provide clean energy, reduce emissions, and keep rates fair, just, reasonable, and sufficient.

(2) Gas companies that serve over 500,000 gas customers in Washington state, which are also electrical companies, or large combination utilities, play an important role in providing affordable and reliable heating and other energy services, and in leading the implementation of state climate policies. As the state transitions to cleaner sources of energy, large combination utilities are an important partner in helping their customers make smart energy choices, including actively supporting the replacement of fossil fuel-based space and water heating equipment and other fossil fuel-based equipment with high-efficiency nonemitting equipment. Programs to accelerate the adoption of efficient, nonemitting appliances have the potential to allow large combination utilities to optimize the use of energy infrastructure, improve the management of energy loads, better manage the integration of variable renewable energy resources, reduce greenhouse gas emissions from the buildings sector, mitigate the environmental impacts of utility operations and power purchases, and improve health outcomes for occupants. Legislative clarity is important for utilities to offer programs and services, including incentives, in the decarbonization of homes and buildings for their customers.

(3) In order to meet the statewide greenhouse gas limits in the energy sectors of the economy, more resources must be directed toward achieving decarbonization of residential and commercial heating loads and other loads that are served with fossil fuels, while continuing to protect all customers, but especially low-income customers, vulnerable populations, highly impacted communities, and overburdened communities. The legislature finds that regulatory innovation may be needed to remove barriers that large combination utilities may face to meet the state's public policy objectives and expectations. The enactment of chapter 188, Laws of 2021 (Engrossed Substitute Senate Bill No. 5295) began that regulatory transition from traditional cost-of-service regulation, with investor-owned gas and electrical companies using forward-looking multiyear rate plans and taking steps toward performance-based regulation. These steps are intended to

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provide certainty and stability to both customers and to investor-owned gas and electrical companies, aligning public policy objectives with investments, safety, and reliability.

(4) The legislature finds that as Washington transitions to 100 percent clean electricity and as the state implements the Washington climate commitment act, switching from fossil fuel-based heating equipment and other fossil fuel-based appliances to high-efficiency nonemitting equipment will reduce climate impacts and fuel price risks for customers in the long term. This new paradigm requires a thoughtful transition to decarbonize the energy system to ensure that all customers benefit from the transition, that customers are protected, are not subject to sudden price shocks, and continue to receive needed energy services, with an equitable allocation of benefits and burdens. This transition will require careful and integrated planning by and between utilities, the commission, and customers, as well as new regulatory tools.

(5) It is the intent of the legislature to require large combination utilities to decarbonize their systems by: (a) Prioritizing efficient and cost-effective measures to transition customers off of the direct use of fossil fuels at the lowest reasonable cost to customers; (b) investing in the energy supply, storage, delivery, and demand-side resources that will be needed to serve any increase in electrical demand affordably and reliably; (c) maintaining safety and reliability as the gas system undergoes transformational changes; (d) integrating zero-carbon and carbon-neutral fuels to serve high heat and industrial loads where electrification may not be technically feasible; (e) managing peak demand of the electric system; and (f) ensuring an equitable distribution of benefits to, and reduction of burdens for, vulnerable populations, highly impacted communities, and overburdened communities that have historically been underserved by utility energy efficiency programs, and may be disproportionately impacted by rising fuel and equipment costs or experience high energy burden.

(6) It is the intent of the legislature to support this transition by adopting requirements for large combination utilities to conduct integrated system planning to develop specific actions supporting gas system decarbonization and electrification, and reduction in the gas rate base.

(7) It is the intent of the legislature to encourage a robust competitive wholesale market for generation, storage, and demand-side resources to serve the state's electrical companies, other electric utilities, and end-users that secure their own power supply.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Carbon dioxide equivalent" has the same meaning as provided in RCW 70A.65.010.

(2) "Combined heat and power" has the same meaning as provided in RCW 19.280.020.

(3) "Commission" means the utilities and transportation commission.

(4) "Conservation and efficiency resources" means any reduction in electric or natural gas consumption that results from increases in the efficiency of energy use, production, transmission, transportation, or distribution.

(5) "Cost effective" means that a project or resource is, or is forecast to:

- (a) Be reliable and available within the time it is needed; and
- (b) Reduce greenhouse gas emissions and meet or reduce the energy demand or supply an equivalent level of energy service to the intended customers at an estimated long-term incremental system cost no greater than that of the least-cost similarly reliable

and available alternative project or resource, or any combination thereof, including the cost of compliance with chapter 70A.65 RCW, based on the forward allowance ceiling price of allowances approved by the department of ecology under RCW 70A.65.160.

(6) "Costs of greenhouse gas emissions" means the costs of greenhouse gas emissions established in RCW 80.28.395 and 80.28.405.

(7) "Delivery system" includes any power line, pipe, equipment, apparatus, mechanism, machinery, instrument, or ancillary facility used by a large combination utility to deliver electricity or gas for ultimate consumption by a customer of the large combination utility.

(8) "Demand flexibility" means the capacity of demand-side loads to change their consumption patterns hourly or on another timescale.

(9) "Electrical company" has the same meaning as provided in RCW 80.04.010.

(10)(a) "Electrification" means the installation of energy efficient electric end-use equipment.

(b) Electrification programs may include weatherization and conservation and efficiency measures.

(11) "Electrification readiness" means upgrades or changes required before the installation of energy efficient electric end-use equipment to prevent heat loss from homes including, but not limited to: Structural repairs, such as roof repairs, preweatherization, weatherization, and electrical panel and wiring upgrades.

(12) "Emissions baseline" means the actual cumulative greenhouse gas emissions of a large combination utility, calculated pursuant to chapter 70A.65 RCW, for the five-year period beginning January 1, 2015, and ending December 31, 2019.

(13) "Emissions reduction period" means one of five periods of five calendar years each, with the five periods beginning on January 1st of calendar years 2030, 2035, 2040, 2045, and 2050, respectively.

(14) "Emissions reduction target" means a targeted reduction of projected cumulative greenhouse gas emissions of a large combination utility approved by the commission for an emissions reduction period that is at least as stringent as the limits established in RCW 70A.45.020.

(15) "Gas company" has the same meaning as provided in RCW 80.04.010.

(16) "Geographically targeted electrification" means the geographically targeted transition of a portion of gas customers of the large combination utility with an intent to electrify loads of such customers and, in conjunction, to reduce capital and operational costs of gas operations of the large combination utility serving such customers.

(17) "Greenhouse gas" has the same meaning as provided in RCW 70A.45.010.

(18) "Highly impacted community" has the same meaning as provided in RCW 19.405.020.

(19) "Integrated system plan" means a plan that the commission may approve, reject, or approve with conditions pursuant to section 3 of this act.

(20) "Large combination utility" means a public service company that is both an electrical company and a gas company that serves more than 800,000 retail electric customers and 500,000 retail gas customers in the state of Washington as of June 30, 2024.

(21) "Low-income" has the same meaning as provided in RCW 19.405.020.

(22) "Lowest reasonable cost" means the lowest cost mix of demand-side and supply side resources and decarbonization

measures determined through a detailed and consistent analysis of a wide range of commercially available resources and measures. At a minimum, this analysis must consider long-term costs and benefits, market-volatility risks, resource uncertainties, resource dispatchability, resource effect on system operation, the risks imposed on the large combination utility and its ratepayers, public policies regarding resource preference adopted by Washington state or the federal government, the cost of risks associated with environmental effects including potential spills and emissions of carbon dioxide, and the need for security of supply.

(23) "Multiyear rate plan" means a multiyear rate plan of a large combination utility filed with the commission pursuant to RCW 80.28.425.

(24) "Natural gas" has the same meaning as provided in RCW 19.405.020.

(25) "Nonemitting electric generation" has the same meaning as provided in RCW 19.405.020.

(26) "Nonpipeline alternative" means activities or investments that delay, reduce, or avoid the need to build, upgrade, or repair gas plant, such as pipelines and service lines.

(27) "Overburdened community" has the same meaning as provided in RCW 70A.65.010.

(28) "Overgeneration event" has the same meaning as provided in RCW 19.280.020.

(29) "Renewable resource" has the same meaning as provided in RCW 19.405.020.

(30) "Supply side resource" means, as applicable: (a) Any resource that can provide capacity, electricity, or ancillary services to the large combination utility's electric delivery system; or (b) any resource that can provide conventional or nonconventional gas supplies to the large combination utility's gas delivery system.

(31) "System cost" means actual direct costs or an estimate of all direct costs of a project or resource over its effective life including, if applicable: The costs of transmission and distribution to the customers; waste disposal costs; permitting, siting, mitigation, and end-of-cycle decommissioning and remediation costs; fuel costs, including projected increases; resource integration and balancing costs; and such quantifiable environmental costs and benefits and other energy and nonenergy benefits as are directly attributable to the project or resource, including flexibility, resilience, reliability, greenhouse gas emissions reductions, and air quality.

(32) "Vulnerable populations" has the same meaning as provided in RCW 19.405.020.

NEW SECTION. Sec. 3. (1) The legislature finds that large combination utilities are subject to a range of reporting and planning requirements as part of the clean energy transition. The legislature further finds that current natural gas integrated resource plans under development might not yield optimal results for timely and cost-effective decarbonization. To reduce regulatory barriers, achieve equitable and transparent outcomes, and integrate planning requirements, the commission may consolidate a large combination utility's planning requirements for both gas and electric operations, including consolidation into a single integrated system plan that is approved by the commission.

(2)(a) By July 1, 2025, the commission shall complete a rule-making proceeding to implement consolidated planning requirements for gas and electric services for large combination utilities that may include, but are not limited to, plans required under: (i) Chapter 19.280 RCW; (ii) chapter 19.285 RCW; (iii) chapter 19.405 RCW; (iv) chapter 70A.65 RCW; (v) RCW 80.28.380; (vi) RCW 80.28.365; (vii) RCW 80.28.425; (viii)

existing pipeline safety and replacement plans; and (ix) planning requirements ordered by the commission, such as electrification and decarbonization plans. The commission may consider exemptions from any rules necessary to facilitate integrated system planning for large combination utilities. The commission may extend the rule-making proceeding for 90 days for good cause shown. The large combination utilities' filing deadline required in subsection (4) of this section will be extended commensurate to the rule-making extension period set by the commission. Subsequent planning requirements for future integrated system plans must be fulfilled on a timeline set by the commission. Large combination utilities that file integrated system plans are no longer required to file plans consolidated into the integrated system plan. The statutorily required contents of any plan consolidated into an integrated system plan must be met by the integrated system plan.

(b) In its order adopting rules or issuing a policy statement approving the consolidation of planning requirements, the commission shall include a compliance checklist and any additional guidance that is necessary to assist the large combination utility in meeting the minimum requirements of all relevant statutes and rules.

(3) Upon request by a large combination utility, the commission may issue an order extending the filing and reporting requirements of a large combination utility under chapters 19.405 and 19.280 RCW, and requiring the large combination utility to file an integrated system plan pursuant to subsection (4) of this section if the commission finds that the large combination utility has made public a work plan that demonstrates reasonable progress toward meeting the standards under RCW 19.405.040(1) and 19.405.050(1) and achieving equity goals. The commission's approval of an extension of filing and reporting requirements does not relieve the large combination utility from the obligation to demonstrate progress towards meeting the standards under RCW 19.405.040(1) and 19.405.050(1) and the interim targets approved in its most recent clean energy implementation plan. Commission approval of an extension under this section fulfills the large combination utilities statutory filing deadlines under RCW 19.405.060(1).

(4) By January 1, 2027, and on a timeline set by the commission thereafter, large combination utilities shall file an integrated system plan demonstrating how the large combination utilities' plans are consistent with the requirements of this chapter and any rules and guidance adopted by the commission, and which:

(a) Achieve the obligations of all plans consolidated into the integrated system plan;

(b) Provide a range of forecasts, for at least the next 20 years, of projected customer demand that takes into account econometric data and addresses changes in the number, type, and efficiency of customer usage;

(c) Include scenarios that achieve emissions reductions for both gas and electric operations equal to at least their proportional share of emissions reductions required under RCW 70A.45.020;

(d) Include scenarios with emissions reduction targets for both gas and electric operations for each emissions reduction period that account for the interactions between gas and electric systems;

(e) Achieve two percent of electric load annually with conservation and energy efficiency resources, unless the commission finds that a higher target is cost effective. However, the commission may accept a lower level of achievement if it determines that the requirement in this subsection (4)(e) is neither technically nor commercially feasible during the applicable emissions reduction period;

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(f) Assess commercially available conservation and efficiency resources, including demand response and load management, to achieve the conservation and energy efficiency requirements in (e) of this subsection, and as informed by the assessment for conservation potential under RCW 19.285.040 for the planning horizon consistent with (b) of this subsection. Such an assessment may include, as appropriate, opportunities for development of combined heat and power as an energy and capacity resource, demand response and load management programs, and currently employed and new policies and programs needed to obtain the conservation and efficiency resources. The value of recoverable waste heat resulting from combined heat and power must be reflected in analyses of cost effectiveness under this subsection;

(g) Achieve annual demand response and demand flexibility equal to or greater than 10 percent of winter and summer peak electric demand, unless the commission finds that a higher target is cost effective. However, the commission may accept a lower level of achievement if it determines that the requirement in this subsection (4)(g) is neither technically nor commercially feasible during the applicable emissions reduction period;

(h) Achieve all cost-effective electrification of end uses currently served by natural gas identified through an assessment of alternatives to known and planned gas infrastructure projects, including nonpipeline alternatives, rebates and incentives, and geographically targeted electrification;

(i) Include low-income electrification programs that must:

(i) Include rebates and incentives to low-income customers and customers experiencing high energy burden for the deployment of high-efficiency electric-only heat pumps in homes and buildings currently heating with wood, oil, propane, electric resistance, or gas;

(ii) Provide demonstrated material benefits to low-income participants including, but not limited to, decreased energy burden, the addition of air conditioning, and backup heat sources or energy storage systems, if necessary to protect health and safety in areas with frequent outages, or improved indoor air quality;

(iii) Enroll customers in energy assistance programs or provide bill assistance;

(iv) Provide dedicated funding for electrification readiness;

(v) Include low-income customer protections to mitigate energy burden, if electrification measures will increase a low-income participant's energy burden; and

(vi) Coordinate with community-based organizations in the gas or electrical company's service territory including, but not limited to, grantees of the department of commerce, community action agencies, and community-based nonprofit organizations, to remove barriers and effectively serve low-income customers;

(j) Accept as proof of eligibility for energy assistance enrollment in any means-tested public benefit, or low-income energy assistance program, for which eligibility does not exceed the low-income definition set by the commission pursuant to RCW 19.405.020;

(k) Assess the potential for geographically targeted electrification including, but not limited to, in overburdened communities, on gas plant that is fully depreciated or gas plant that is included in a proposal for geographically targeted electrification that requires accelerating depreciation pursuant to section 7(1) of this act for the gas plant subject to such electrification proposal;

(l) Assess commercially available supply side resources, including a comparison of the benefits and risks of purchasing electricity or gas or building new resources;

(m) Assess nonpipeline alternatives, including geographically targeted electrification and demand response, as an alternative to

replacing aging gas infrastructure or expanded gas capacity. Assessments must involve, at a minimum:

(i) Identifying all known and planned gas infrastructure projects, including those without a fully defined scope or cost estimate, for at least the 10 years following the filing;

(ii) Estimating programmatic expenses of maintaining that portion of the gas system for at least the 10 years following the filing; and

(iii) Ranking all gas pipeline segments for their suitability for nonpipeline alternatives;

(n) Assess distributed energy resources that meets the requirements of RCW 19.280.100;

(o) Provide an assessment and 20-year forecast of the availability of and requirements for regional supply side resource and delivery system capacity to provide and deliver electricity and gas to the large combination utility's customers and to meet, as applicable, the requirements of chapter 19.405 RCW and the state's greenhouse gas emissions reduction limits in RCW 70A.45.020. The delivery system assessment must identify the large combination utility's expected needs to acquire new long-term firm rights, develop new, or expand or upgrade existing, delivery system facilities consistent with the requirements of this section and reliability standards and take into account opportunities to make more effective use of existing delivery facility capacity through improved delivery system operating practices, conservation and efficiency resources, distributed energy resources, demand response, grid modernization, nonwires solutions, and other programs if applicable;

(p) Assess methods, commercially available technologies, or facilities for integrating renewable resources and nonemitting electric generation including, but not limited to, battery storage and pumped storage, and addressing overgeneration events, if applicable to the large combination utility's resource portfolio;

(q) Provide a comparative evaluation of supply side resources, delivery system resources, and conservation and efficiency resources using lowest reasonable cost as a criterion;

(r) Include a determination of resource adequacy metrics for the integrated system plan consistent with the forecasts;

(s) Forecast distributed energy resources that may be installed by the large combination utility's customers and an assessment of their effect on the large combination utility's load and operations;

(t) Identify an appropriate resource adequacy requirement and measurement metric consistent with prudent utility practice in implementing RCW 19.405.030 through 19.405.050;

(u) Integrate demand forecasts, resource evaluations, and resource adequacy requirements into a long-range assessment describing the mix of supply side resources and conservation and efficiency resources that will meet current and projected needs, including mitigating overgeneration events and implementing RCW 19.405.030 through 19.405.050, at the lowest reasonable cost and risk to the large combination utility and its customers, while maintaining and protecting the safety, reliable operation, and balancing of the energy system of the large combination utility;

(v) Include an assessment, informed by the cumulative impact analysis conducted under RCW 19.405.140, of: Energy and nonenergy benefits and the avoidance and reductions of burdens to vulnerable populations and highly impacted communities; long-term and short-term public health and environmental benefits, costs, and risks; and energy security and risk;

(w) Include a 10-year clean energy action plan for implementing RCW 19.405.030 through 19.405.050 at the lowest reasonable cost, and at an acceptable resource adequacy standard;

(x) Include an analysis of how the integrated system plan accounts for:

(i) Model load forecast scenarios that consider the anticipated levels of zero emissions vehicle use in a large combination utility's service area, including anticipated levels of zero emissions vehicle use in the large combination utility's service area provided in RCW 47.01.520, if feasible;

(ii) Analysis, research, findings, recommendations, actions, and any other relevant information found in the electrification of transportation plans submitted under RCW 80.28.365; and

(iii) Assumed use case forecasts and the associated energy impacts, which may use the forecasts generated by the mapping and forecasting tool created in RCW 47.01.520;

(y) Establish that the large combination utility has:

(i) Consigned to auction for the benefit of ratepayers the minimum required number of allowances allocated to the large combination utility for the applicable compliance period pursuant to RCW 70A.65.130, consistent with the climate commitment act, chapter 70A.65 RCW, and rules adopted pursuant to the climate commitment act; and

(ii) Prioritized, to the maximum extent permissible under the climate commitment act, chapter 70A.65 RCW, revenues derived from the auction of allowances allocated to the utility for the applicable compliance period pursuant to RCW 70A.65.130, first to programs that eliminate the cost burden for low-income ratepayers, such as bill assistance, nonvolumetric credits on ratepayer utility bills, or electrification programs, and second to electrification programs benefiting residential and small commercial customers;

(z) Propose an action plan outlining the specific actions to be taken by the large combination utility in implementing the integrated system plan following submission; and

(aa) Report on the large combination utility's progress towards implementing the recommendations contained in its previously filed integrated system plan.

(5) In evaluating the lowest reasonable cost of decarbonization measures included in an integrated system plan, large combination utilities must apply a risk reduction premium that must account for the applicable allowance ceiling price approved by the department of ecology pursuant to the climate commitment act, chapter 70A.65 RCW. For the purpose of this chapter, the risk reduction premium is necessary to ensure that a large combination utility is making appropriate long-term investments to mitigate against the allowance and fuel price risks to customers of the large combination utility.

(6) The clean energy action plan must:

(a) Identify and be informed by the large combination utility's 10-year cost-effective conservation potential assessment as determined under RCW 19.285.040, if applicable;

(b) Establish a resource adequacy requirement;

(c) Identify the potential cost-effective demand response and load management programs that may be acquired;

(d) Identify renewable resources, nonemitting electric generation, and distributed energy resources that may be acquired and evaluate how each identified resource may be expected to contribute to meeting the large combination utility's resource adequacy requirement;

(e) Identify any need to develop new, or expand or upgrade existing, bulk transmission and distribution facilities and document existing and planned efforts by the large combination utility to make more effective use of existing transmission capacity and secure additional transmission capacity consistent with the requirements of subsection (4)(o) of this section; and

(f) Identify the nature and possible extent to which the large combination utility may need to rely on alternative compliance options under RCW 19.405.040(1)(b), if appropriate.

(7) A large combination utility shall consider the social cost of greenhouse gas emissions, as determined by the commission pursuant to RCW 80.28.405, when developing integrated system plans and clean energy action plans. A large combination utility must incorporate the social cost of greenhouse gas emissions as a cost adder when:

(a) Evaluating and selecting conservation policies, programs, and targets;

(b) Developing integrated system plans and clean energy action plans; and

(c) Evaluating and selecting intermediate term and long-term resource options.

(8) Plans developed under this section must be updated on a regular basis, on intervals approved by the commission.

(9)(a) To maximize transparency, the commission may require a large combination utility to make the utility's data input files available in a native format. Each large combination utility shall publish its final plan either as part of an annual report or as a separate document available to the public. The report may be in an electronic form.

(b) Nothing in this subsection limits the protection of records containing commercial information under RCW 80.04.095.

(10) The commission shall establish by rule a cost test for emissions reduction measures achieved by large combination utilities to comply with state clean energy and climate policies. The cost test must be used by large combination utilities under this chapter for the purpose of determining the lowest reasonable cost of decarbonization and electrification measures in integrated system plans, at the portfolio level, and for any other purpose determined by the commission by rule.

(11) The commission must approve, reject, or approve with conditions an integrated system plan within 12 months of the filing of such an integrated system plan. The commission may for good cause shown extend the time by 90 days for a decision on an integrated system plan filed on or before January 1, 2027, as such date is extended pursuant to subsection (2)(a) of this section.

(12) In determining whether to approve the integrated system plan, reject the integrated system plan, or approve the integrated system plan with conditions, the commission must evaluate whether the plan is in the public interest, and includes the following:

(a) The equitable distribution and prioritization of energy benefits and reduction of burdens to vulnerable populations, highly impacted communities, and overburdened communities;

(b) Long-term and short-term public health, economic, and environmental benefits and the reduction of costs and risks;

(c) Health and safety concerns;

(d) Economic development;

(e) Equity;

(f) Energy security and resiliency;

(g) Whether the integrated system plan:

(i) Would achieve a proportional share of reductions in greenhouse gas emissions for each emissions reduction period on the gas and electric systems;

(ii) Would achieve the energy efficiency and demand response targets in subsection (4)(e) and (g) of this section;

(iii) Would achieve cost-effective electrification of end uses as required by subsection (4)(h) of this section;

(iv) Results in a reasonable cost to customers, and projects the rate impacts of specific actions, programs, and investments on customers;

(v) Would maintain system reliability and reduces long-term costs and risks to customers;

(vi) Would lead to new construction career opportunities and prioritizes a transition of natural gas and electricity utility workers

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to perform work on construction and maintenance of new and existing renewable energy infrastructure; and

(vii) Describes specific actions that the large combination utility plans to take to achieve the requirements of the integrated system plan.

NEW SECTION. Sec. 4. Large combination utilities shall work in good faith with other utilities, independent power producers, power marketers, end-use customers, and interested parties in the region to develop market structures and mechanisms that require the sale of wholesale electricity from generating resources in a manner that allows the greenhouse gas attributes of those resources to be accounted for when they are sold into organized markets.

NEW SECTION. Sec. 5. (1) Concurrent with an application for an integrated system plan pursuant to section 3 of this act, a large combination utility may propose to construct a new renewable or nonemitting electric generation or transmission facility, make a significant investment in an existing renewable or nonemitting electric generation or transmission facility, purchase an existing renewable or nonemitting electric generation or transmission facility, or enter into a power purchase agreement for the purchase of renewable or nonemitting electric energy or capacity for a period of five years or longer. The large combination utility may submit an application to the commission seeking a certificate of necessity for that construction, investment, or purchase, including entering into a power purchase agreement, if that construction, investment, or purchase costs \$100,000,000 or more, requires the utility to begin incurring significant portions of those costs more than five years before the facility is estimated to be in service, and all or a portion of the costs would be allocable to retail customers in this state. A significant investment may include a group of investments undertaken jointly and located on the same site for a singular purpose, such as increasing the capacity of an existing renewable or nonemitting electric generation or transmission plant. Applications must be submitted in conjunction with a large combination utility's integrated system plan. However, a large combination utility may submit an application outside of the integrated system plan process for a time-sensitive project.

(2) A large combination utility submitting an application under this section may request one or more of the following:

(a) A certificate of necessity that the electric energy or capacity to be supplied or transmitted as a result of the proposed construction, investment, or purchase, including entering into a power purchase agreement, is needed;

(b) A certificate of necessity that the size, fuel type, and other design characteristics of the existing or proposed electric generation or transmission facility or the terms of the power purchase agreement represent the most appropriate and reasonable means of meeting that power need;

(c) A certificate of necessity that the estimated purchase or capital costs of and the financing plan for the existing or proposed electric generation or transmission facility including, but not limited to, the costs of siting and licensing a new facility and the estimated cost of power from the new or proposed electric generation facility, or the cost of transmission on the new or proposed electric transmission facility, are reasonable; or

(d) A request to: (i) Recognize, accrue, and defer the allowance for funds used during construction; and (ii) recover financing interest costs in base rates on construction work in progress for capital improvements approved under this section prior to the assets being considered used and useful.

(3) The commission may approve, reject, or approve with conditions an application under this section if it is in the public interest.

(4) In a certificate of necessity under this section, the commission may specify the estimated costs included for the construction of or significant investment in the electric generation or transmission facility, the estimated price included for the purchase of the existing electric generation or transmission facility, or the estimated price included for the purchase of power pursuant to the terms of the power purchase agreement.

(5) The large combination utility shall file reports to the commission regarding the status of any project for which a certificate of necessity has been granted under this section, including an update concerning the cost and schedule of that project at intervals determined by the commission.

(6) If the commission denies any of the relief requested by a large combination utility, the large combination utility may withdraw its application or proceed with the proposed construction, purchase, investment, or power purchase agreement without a certificate and the assurance granted under this section under its ordinary course of business.

(7) If the assumptions underlying an approved certificate of necessity materially change, a large combination utility shall request, or the commission or potential intervenor on its own motion may initiate, a proceeding to review whether it is reasonable to complete an unfinished project for which a certificate of necessity has been granted. The commission shall list the assumptions underlying an approved certificate in the order approving the certificate. If the commission finds that the completion of the project is no longer reasonable, the commission may modify or cancel approval of the certificate of necessity. The commission may allow recovery of reasonable costs already incurred or committed to by contract. Once the commission finds that completion of the project is no longer reasonable, the commission may limit future cost recovery to those costs that could not be reasonably avoided. Nothing in this subsection may be construed as amending, modifying, or repealing any existing authority of the commission to ascertain and determine the fair value for rate-making purposes of the property of any large combination utility.

(8) A proposed or existing supplier of electric generation capacity that seeks to provide electric generation energy or capacity resources to the large combination utility may submit a written proposal directly to the commission as an alternative to the construction, investment, or purchase, including entering into a power purchase agreement, for which the certificate of necessity is sought under this section. The entity submitting an alternative proposal under this subsection has standing to intervene and the commission may allow reasonable discovery in the contested case proceeding conducted under this subsection. In evaluating an alternative proposal, the commission may consider the cost of the alternative proposal and the submitting entity's qualifications, technical competence, capability, reliability, creditworthiness, and past performance. In reviewing an application, the commission may consider any alternative proposals submitted under this subsection. This subsection does not limit the ability of any other person to submit to the commission an alternative proposal to the construction, investment, or purchase, including entering into a power purchase agreement, for which a certificate of necessity is sought under this subsection and to petition for and be granted leave to intervene in the contested case proceeding conducted under this subsection under the rules of practice and procedure of the commission. This subsection does not authorize the commission to order or otherwise require a large combination utility to adopt any alternative proposal submitted under this subsection.

NEW SECTION. Sec. 6. (1) Large combination utilities must include the following in calculating the emissions baseline and

projected cumulative emissions for an emissions reduction period, consistent with reporting of greenhouse gas emissions pursuant to the Washington clean air act, chapter 70A.15 RCW:

(a) Methane leaked from the transportation and delivery of gas from the gas distribution and service pipelines from the city gate to customer end use;

(b) Greenhouse gas emissions resulting from the combustion of gas by customers not otherwise subject to federal greenhouse gas emissions reporting and excluding all transport customers; and

(c) Emissions of methane resulting from leakage from delivery of gas to other gas companies.

(2) In calculating an emissions reduction target, a large combination utility must show its emissions baseline and projected cumulative greenhouse gas emissions for the applicable emissions reduction period separately and must show that the total emissions reductions are projected to make progress toward the achievement of the emissions reduction targets identified in the applicable integrated system plan. The final calculation must be presented on a carbon dioxide equivalent basis.

(3) All emissions are metric tons of carbon dioxide equivalent as reported to the federal environmental protection agency pursuant to 40 C.F.R. 98, either subpart W (methane) or subpart NN (carbon dioxide), or successor reporting requirements.

NEW SECTION. Sec. 7. (1) In any multiyear rate plan filed by a large combination utility pursuant to RCW 80.28.425 and in accordance with this chapter, the large combination utility must include an updated depreciation study that reduces the gas rate base consistent with an approved integrated system plan, and the commission may adopt depreciation schedules that accelerate cost recovery and reduce the rate base for any gas plant. The commission shall approve a depreciation schedule that depreciates all gas plants in service as of July 1, 2024, by a date no later than January 1, 2050, in any multiyear rate plan, but the commission may adjust depreciation schedules for gas plants as necessary when considering future multiyear rate plans to address affordability provided all plants in service as of July 1, 2024, are fully depreciated by 2050.

(2) In any multiyear rate plan proposed by a large combination utility, the company may propose a merger of regulated gas and electric operations into a single rate base. The commission may approve the merger of electric and gas rate bases if the commission finds that the proposal will result in a net benefit to customers of the large combination utility and includes reasonable rate protections for low-income natural gas and electric customers. In approving a merger of a gas and electric rate base, the commission must avoid commercial and residential rate classes subsidizing industrial rate classes.

(3) For a large combination utility that has merged gas and electricity rate bases, the large combination utility must monetize benefits received from any applicable federal and state tax and other incentives for the benefit of customers. These benefits must be separately accounted for and amortized on a schedule designed to mitigate the rate impacts to customers after the rate bases are combined. These credits may not be used for any other purpose, unless directed by the commission.

(4) For the first multiyear rate plan proposed by a large combination utility following commission approval or approval with conditions of the initial integrated system plan identified in section 3 of this act, the commission may for good cause shown extend the deadline for a decision set forth under RCW 80.04.130 by up to 60 days.

NEW SECTION. Sec. 8. (1) Beginning January 1, 2025, no large combination utility may offer any form of rebate, incentive, or other inducement to residential gas customers to purchase any natural gas appliance or equipment. Until January 1, 2031, rebates

and incentives for commercial and industrial gas customers are not included in this requirement. Rebates and incentives for electric heat pumps that include natural gas backups may be offered until January 1, 2031.

(2) By November 1, 2025, a large combination utility must initiate and maintain an effort to educate its ratepayers about the benefits of electrification and the availability of rebates, incentives, or other inducements to purchase energy efficient electric appliances and equipment including, but not limited to, the maintenance of an educational website and the inclusion of educational materials in monthly billing statements.

(3) Beginning January 1, 2031, a large combination utility may not include electric air source heat pumps with gas backups as part of its electrification programs.

Sec. 9. RCW 19.280.030 and 2023 c 229 s 2 are each amended to read as follows:

Each electric utility must develop a plan consistent with this section.

(1) Utilities with more than 25,000 customers that are not full requirements customers must develop or update an integrated resource plan by September 1, 2008. At a minimum, progress reports reflecting changing conditions and the progress of the integrated resource plan must be produced every two years thereafter. An updated integrated resource plan must be developed at least every four years subsequent to the 2008 integrated resource plan. The integrated resource plan, at a minimum, must include:

(a) A range of forecasts, for at least the next 10 years or longer, of projected customer demand which takes into account econometric data and customer usage;

(b) An assessment of commercially available conservation and efficiency resources, as informed, as applicable, by the assessment for conservation potential under RCW 19.285.040 for the planning horizon consistent with (a) of this subsection. Such assessment may include, as appropriate, opportunities for development of combined heat and power as an energy and capacity resource, demand response and load management programs, and currently employed and new policies and programs needed to obtain the conservation and efficiency resources;

(c) An assessment of commercially available, utility scale renewable and nonrenewable generating technologies including a comparison of the benefits and risks of purchasing power or building new resources;

(d) A comparative evaluation of renewable and nonrenewable generating resources, including transmission and distribution delivery costs, and conservation and efficiency resources using "lowest reasonable cost" as a criterion;

(e) An assessment of methods, commercially available technologies, or facilities for integrating renewable resources, including but not limited to battery storage and pumped storage, and addressing overgeneration events, if applicable to the utility's resource portfolio;

(f) An assessment and 20-year forecast of the availability of and requirements for regional generation and transmission capacity to provide and deliver electricity to the utility's customers and to meet the requirements of chapter 288, Laws of 2019 and the state's greenhouse gas emissions reduction limits in RCW 70A.45.020. The transmission assessment must identify the utility's expected needs to acquire new long-term firm rights, develop new, or expand or upgrade existing, bulk transmission facilities consistent with the requirements of this section and reliability standards;

(i) If an electric utility operates transmission assets rated at 115,000 volts or greater, the transmission assessment must take into account opportunities to make more effective use of existing

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transmission capacity through improved transmission system operating practices, energy efficiency, demand response, grid modernization, nonwires solutions, and other programs if applicable;

(ii) An electric utility that relies entirely or primarily on a contract for transmission service to provide necessary transmission services may comply with the transmission requirements of this subsection by requesting that the counterparty to the transmission service contract include the provisions of chapter 288, Laws of 2019 and chapter 70A.45 RCW as public policy mandates in the transmission service provider's process for assessing transmission need, and planning and acquiring necessary transmission capacity;

(iii) An electric utility may comply with the requirements of this subsection (1)(f) by relying on and incorporating the results of a separate transmission assessment process, conducted individually or jointly with other utilities and transmission system users, if that assessment process meets the requirements of this subsection;

(g) A determination of resource adequacy metrics for the resource plan consistent with the forecasts;

(h) A forecast of distributed energy resources that may be installed by the utility's customers and an assessment of their effect on the utility's load and operations;

(i) An identification of an appropriate resource adequacy requirement and measurement metric consistent with prudent utility practice in implementing RCW 19.405.030 through 19.405.050;

(j) The integration of the demand forecasts, resource evaluations, and resource adequacy requirement into a long-range assessment describing the mix of supply side generating resources and conservation and efficiency resources that will meet current and projected needs, including mitigating overgeneration events and implementing RCW 19.405.030 through 19.405.050, at the lowest reasonable cost and risk to the utility and its customers, while maintaining and protecting the safety, reliable operation, and balancing of its electric system;

(k) An assessment, informed by the cumulative impact analysis conducted under RCW 19.405.140, of: Energy and nonenergy benefits and the avoidance and reductions of burdens to vulnerable populations and highly impacted communities; long-term and short-term public health and environmental benefits, costs, and risks; and energy security and risk;

(l) A 10-year clean energy action plan for implementing RCW 19.405.030 through 19.405.050 at the lowest reasonable cost, and at an acceptable resource adequacy standard, that identifies the specific actions to be taken by the utility consistent with the long-range integrated resource plan; and

(m) An analysis of how the plan accounts for:

(i) Modeled load forecast scenarios that consider the anticipated levels of zero emissions vehicle use in a utility's service area, including anticipated levels of zero emissions vehicle use in the utility's service area provided in RCW 47.01.520, if feasible;

(ii) Analysis, research, findings, recommendations, actions, and any other relevant information found in the electrification of transportation plans submitted under RCW 35.92.450, 54.16.430, and 80.28.365; and

(iii) Assumed use case forecasts and the associated energy impacts. Electric utilities may, but are not required to, use the forecasts generated by the mapping and forecasting tool created in RCW 47.01.520. This subsection (1)(m)(iii) applies only to plans due to be filed after September 1, 2023.

(2) The clean energy action plan must:

(a) Identify and be informed by the utility's 10-year cost-effective conservation potential assessment as determined under RCW 19.285.040, if applicable;

(b) Establish a resource adequacy requirement;

(c) Identify the potential cost-effective demand response and load management programs that may be acquired;

(d) Identify renewable resources, nonemitting electric generation, and distributed energy resources that may be acquired and evaluate how each identified resource may be expected to contribute to meeting the utility's resource adequacy requirement;

(e) Identify any need to develop new, or expand or upgrade existing, bulk transmission and distribution facilities and document existing and planned efforts by the utility to make more effective use of existing transmission capacity and secure additional transmission capacity consistent with the requirements of subsection (1)(f) of this section; and

(f) Identify the nature and possible extent to which the utility may need to rely on alternative compliance options under RCW 19.405.040(1)(b), if appropriate.

(3)(a) An electric or large combination utility shall consider the social cost of greenhouse gas emissions, as determined by the commission for investor-owned utilities pursuant to RCW 80.28.405 and the department for consumer-owned utilities, when developing integrated resource plans and clean energy action plans. An electric utility must incorporate the social cost of greenhouse gas emissions as a cost adder when:

(i) Evaluating and selecting conservation policies, programs, and targets;

(ii) Developing integrated resource plans and clean energy action plans; and

(iii) Evaluating and selecting intermediate term and long-term resource options.

(b) For the purposes of this subsection (3): (i) Gas consisting largely of methane and other hydrocarbons derived from the decomposition of organic material in landfills, wastewater treatment facilities, and anaerobic digesters must be considered a nonemitting resource; and (ii) qualified biomass energy must be considered a nonemitting resource.

(4) To facilitate broad, equitable, and efficient implementation of chapter 288, Laws of 2019, a consumer-owned energy utility may enter into an agreement with a joint operating agency organized under chapter 43.52 RCW or other nonprofit organization to develop and implement a joint clean energy action plan in collaboration with other utilities.

(5) All other utilities may elect to develop a full integrated resource plan as set forth in subsection (1) of this section or, at a minimum, shall develop a resource plan that:

(a) Estimates loads for the next five and 10 years;

(b) Enumerates the resources that will be maintained and/or acquired to serve those loads;

(c) Explains why the resources in (b) of this subsection were chosen and, if the resources chosen are not: (i) Renewable resources; (ii) methods, commercially available technologies, or facilities for integrating renewable resources, including addressing any overgeneration event; or (iii) conservation and efficiency resources, why such a decision was made;

(d) By December 31, 2020, and in every resource plan thereafter, identifies how the utility plans over a 10-year period to implement RCW 19.405.040 and 19.405.050; and

(e) Accounts for:

(i) Modeled load forecast scenarios that consider the anticipated levels of zero emissions vehicle use in a utility's service area, including anticipated levels of zero emissions vehicle use in the utility's service area provided in RCW 47.01.520, if feasible;

(ii) Analysis, research, findings, recommendations, actions, and any other relevant information found in the electrification of transportation plans submitted under RCW 35.92.450, 54.16.430, and 80.28.365; and

(iii) Assumed use case forecasts and the associated energy impacts. Electric utilities may, but are not required to, use the forecasts generated by the mapping and forecasting tool created in RCW 47.01.520. This subsection (5)(e)(iii) applies only to plans due to be filed after September 1, 2023.

(6) Assessments for demand-side resources included in an integrated resource plan may include combined heat and power systems as one of the measures in a conservation supply curve. The value of recoverable waste heat resulting from combined heat and power must be reflected in analyses of cost-effectiveness under this subsection.

(7) An electric utility that is required to develop a resource plan under this section must complete its initial plan by September 1, 2008.

(8) Plans developed under this section must be updated on a regular basis, on intervals approved by the commission or the department, or at a minimum on intervals of two years.

(9)(a) Plans shall not be a basis to bring legal action against electric utilities. However, nothing in this subsection (9)(a) may be construed as limiting the commission or any party from bringing any action pursuant to Title 80 RCW, this chapter, or chapter 19.405 RCW against any large combination utility related to an integrated system plan submitted pursuant to section 3 of this act.

(b) The commission may approve, reject, or approve with conditions, any integrated system plans submitted by a large combination utility as defined in section 2 of this act.

(10)(a) To maximize transparency, the commission, for investor-owned utilities, or the governing body, for consumer-owned utilities, may require an electric utility to make the utility's data input files available in a native format. Each electric utility shall publish its final plan either as part of an annual report or as a separate document available to the public. The report may be in an electronic form.

(b) Nothing in this subsection limits the protection of records containing commercial information under RCW 80.04.095.

Sec. 10. RCW 80.28.110 and 2021 c 65 s 97 are each amended to read as follows:

Every gas company, electrical company, wastewater company, or water company, engaged in the sale and distribution of gas, electricity, or water or the provision of wastewater company services, shall, upon reasonable notice, furnish to all persons and corporations who may apply therefor and be reasonably entitled thereto, suitable facilities for furnishing and furnish all available gas, electricity, wastewater company services, and water as demanded, except that a water company may not furnish water contrary to the provisions of water system plans approved under chapter 43.20 or 70A.100 RCW and wastewater companies may not provide services contrary to the approved general sewer plan. A large combination utility may provide a customer with any approved nonemitting energy including, but not limited to, renewable natural gas, green hydrogen, thermal energy networks, or other sources as described in an approved filing.

NEW SECTION. Sec. 11. (1) When an integrated system plan of a large combination utility proposes geographically targeted electrification of all or a portion of a service area in which the large combination utility provides gas service to such a service area and one or more consumer-owned utilities provide electric service to such a service area, the integrated system plan of the large combination utility must include a process for outreach by the large combination utility to all consumer-owned utilities

providing electric service to such a service area. As part of that outreach, the large combination utility shall provide gas delivery data of sufficient granularity for the consumer-owned electric company to assess the sufficiency of the capacity of the electric distribution system to accommodate the additional load from electrification at the circuit level. This data must be provided at least one plan cycle prior to electrification actions by the large combination utility to allow affected consumer-owned electric companies sufficient time to upgrade electrical distribution equipment and materials as needed to preserve system reliability.

(2) Consumer-owned utilities are encouraged to:

(a) Work with large combination utilities providing gas service within their service areas to identify opportunities for electrification and mitigating grid impacts by the large combination utility;

(b) Account for the costs of greenhouse gas emissions, set total energy savings and greenhouse gas emissions reduction goals, and develop and implement electrification programs in collaboration with large combination utilities providing gas service in service areas of consumer-owned utilities; and

(c) Include an electrification plan or transportation electrification program as part of collaboration with large combination utilities.

(3) Nothing in this section may be construed as expanding or contracting the authority of any electric utility with regard to the designation of the boundaries of adjoining service areas that each electric utility must observe.

NEW SECTION. Sec. 12. (1) For any project in an integrated system plan of a large combination utility that is part of a competitive solicitation and with a cost of more than \$10,000,000, the large combination utility must certify to the commission that any work associated with such a project will be constructed by a prime contractor and its subcontractors in a way that includes community workforce agreements or project labor agreements and the payment of area standard prevailing wages and apprenticeship utilization requirements, provided the following apply:

(a) The large combination utility and the prime contractor and all of its subcontractors, regardless of tier, have the absolute right to select any qualified and responsible bidder for the award of contracts on a specified project without reference to the existence or nonexistence of any agreements between such a bidder and any party to such a project labor agreement, and only when such a bidder is willing, ready, and able to become a party to, signs a letter of assent, and complies with such an agreement or agreements, should it be designated the successful bidder; and

(b) It is understood that this is a self-contained, stand-alone agreement, and that by virtue of having become bound to such an agreement or agreements, neither the prime contractor nor the subcontractors are obligated to sign any other local, area, or national agreement.

(2) Nothing in this section supersedes RCW 19.28.091 or 19.28.261 or chapter 49.17 RCW, without regard to project cost.

NEW SECTION. Sec. 13. The commission may adopt rules to ensure the proper implementation and enforcement of this act.

Sec. 14. RCW 80.24.010 and 2022 c 159 s 1 are each amended to read as follows:

Every public service company subject to regulation by the commission shall, on or before the date specified by the commission for filing annual reports under RCW 80.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year or portion thereof and pay to the commission a fee equal to one-tenth of one percent of the first ~~((fifty thousand dollars))~~ \$50,000 of gross operating revenue, plus four-tenths of

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one percent of any gross operating revenue in excess of (~~fifty thousand dollars~~) \$50,000, except that a large combination utility as defined in section 2 of this act shall pay a fee equal to 0.001 percent of the first \$50,000 of gross operating revenue, plus 0.005 percent of any gross operating revenue in excess of \$50,000. PROVIDED, That the commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section.

The percentage rates of gross operating revenue to be paid in any year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose such companies shall be classified as follows:

Electrical, gas, water, telecommunications, and irrigation companies shall constitute class one. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

Any payment of the fee imposed by this section made after its due date shall include a late fee of two percent of the amount due. Delinquent fees shall accrue interest at the rate of one percent per month.

NEW SECTION. Sec. 15. This chapter may be known and cited as the Washington decarbonization act for large combination utilities.

NEW SECTION. Sec. 16. Sections 2 through 8, 11 through 13 and 15 of this act constitute a new chapter in Title 80 RCW.

NEW SECTION. Sec. 17. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act is invalid.

NEW SECTION. Sec. 18. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "future;" strike the remainder of the title and insert "amending RCW 19.280.030, 80.28.110, and 80.24.010; adding a new chapter to Title 80 RCW; creating a new section; and declaring an emergency."

MOTION

Senator Short moved that the following amendment no. 818 by Senator Short be adopted:

On page 1, line 22, after "efficient" strike ", nonemitting"

On page 25, line 35, after "filing." insert "A large combination utility must pay for any costs a residential, commercial, or industrial gas customer incurs as a result of the large combination utility's transition from gas service to nonemitting energy, including transitions related to geographically targeted electrification."

Senators Short, Wilson, L., Fortunato and Dozier spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Short on page 1, line 22 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Short and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Randall, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Saldaña.

MOTION

Senator MacEwen moved that the following amendment no. 842 by Senator MacEwen be adopted:

On page 1, line 30, after "incentives," strike "in the decarbonization of homes and buildings"

On page 25, line 35, after "filing." insert "If a large combination utility determines that it will not provide gas, the customer demanding gas service may seek another provider, which must be permitted to provide gas service using the large combination utility's facilities."

Senators MacEwen, Braun and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 842 by Senator MacEwen on page 1, line 30 to the committee striking amendment.

The motion by Senator MacEwen did not carry and amendment no. 842 was not adopted by voice vote.

MOTION

Senator MacEwen moved that the following amendment no. 843 by Senator MacEwen be adopted:

On page 2, line 4, after "loads" strike "that are served with fossil fuels"

On page 25, line 35, after "filing." insert "A large combination utility is prohibited from transitioning a customer to nonemitting energy if that customer currently receives gas service or has a local, state, or federal development permit to extend gas service pending on the effective date of this section."

Senators MacEwen and Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

Senator MacEwen demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator MacEwen on page 2, line 4 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator MacEwen and the amendment was not adopted by the following vote: Yeas, 20; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Excused: Senator Saldaña.

MOTION

Senator MacEwen moved that the following amendment no. 841 by Senator MacEwen be adopted:

On page 2, beginning on line 16, after "companies" strike all material through "reliability" on line 17

On page 25, line 35, after "filing." insert "A large combination utility shall provide at least eight years' notice prior to transitioning a customer currently receiving gas service to nonemitting energy."

Senator MacEwen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 841 by Senator MacEwen on page 2, line 16 to the committee striking amendment.

The motion by Senator MacEwen did not carry and amendment no. 841 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 831 by Senator Rivers be adopted:

On page 2, beginning on line 20, after "switching" strike all material through "appliances" on line 21

On page 25, line 35, after "filing." insert "A large combination utility shall not discontinue gas service at any facility classified as emissions-intensive and trade-exposed under state law."

Senators Rivers and Short spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 831 by Senator Rivers on page 2, line 20 to Engrossed Substitute House Bill No. 1589.

The motion by Senator Rivers did not carry and amendment no. 831 was not adopted by voice vote.

MOTION

Senator MacEwen moved that the following amendment no. 840 by Senator MacEwen be adopted:

On page 2, line 30, after "customers" strike all material through "tools"

On page 25, line 35, after "filing." insert "A large combination utility shall not discontinue gas service for any low-income customer."

Senators MacEwen and Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

Senator MacEwen demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator MacEwen on page 2, line 30 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator MacEwen and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Conway, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Saldaña.

MOTION

Senator MacEwen moved that the following amendment no. 839 by Senator MacEwen be adopted:

On page 2, line 32, after "decarbonize" strike "their systems"

On page 25, line 35, after "filing." insert "A large combination utility shall not discontinue gas service for any restaurant."

Senators MacEwen, Fortunato and Boehnke spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

Senator MacEwen demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator MacEwen on page 2, line 32 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator MacEwen and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

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Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Saldaña.

MOTION

Senator Torres moved that the following amendment no. 816 by Senator Torres be adopted:

On page 2, at the beginning of line 39, strike "transformational"

On page 25, line 35, after "filing." insert "Before a large combination utility may discontinue gas service for a current customer, the commission shall ensure that the large combination utility provides adequate notice of the discontinuance of service to any customer who is part of a vulnerable population or for whom English is not their primary language."

Senators Torres, MacEwen and Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 816 by Senator Torres on page 2, line 39 to the committee striking amendment.

The motion by Senator Torres did not carry and amendment no. 816 was not adopted by a rising vote.

MOTION

Senator Short moved that the following amendment no. 819 by Senator Short be adopted:

On page 13, line 40, after "rule." insert "The commission shall not approve any decarbonization activity that does not satisfy the commission's cost test and represent the lowest reasonable cost option."

Senators Short, Gildon, Boehnke and Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 819 by Senator Short on page 13, line 40 to the committee striking amendment.

The motion by Senator Short did not carry and amendment no. 819 was not adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the students from Sunshine Christian School in Vancouver who were seated in the gallery and guests of Senator Cleveland.

MOTION

Senator Boehnke moved that the following amendment no. 825 by Senator Boehnke be adopted:

On page 14, after line 39, insert the following:

"(13) Notwithstanding the other criteria provided in this section, the commission shall not approve an integrated system plan if the commission determines that any rate charged to

customers must increase in order to cover the costs of a large combination utility's decarbonization activities."

Senators Boehnke and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Boehnke on page 14, after line 39 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Boehnke and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Conway, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Excused: Senator Saldaña.

MOTION

Senator MacEwen moved that the following amendment no. 837 by Senator MacEwen be adopted:

On page 14, after line 39, insert the following:

"(13) Notwithstanding any other provision in this section, natural gas customers using more than 12,000 thermal units shall not be required to pay more than two percent of their billed margin revenues in rates per year for gas decarbonization costs incurred pursuant to decarbonization and electrification measures included in an approved integrated system plan, and electric customers with a load greater than one average megawatt shall not be required to pay more than two percent of their billed revenues in rates per year for electrification costs incurred pursuant to decarbonization and electrification measures included in an approved integrated system plan. Gas decarbonization costs shall not be recovered from transportation only customers. Electrification costs shall be recovered only from bundled electric customers."

Senators MacEwen, Wilson, L., Wagoner and Dozier spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 837 by Senator MacEwen on page 14, after line 39 to the committee striking amendment.

The motion by Senator MacEwen did not carry and amendment no. 837 was not adopted by voice vote.

MOTION

Senator MacEwen moved that the following amendment no. 838 by Senator MacEwen be adopted:

On page 14, after line 39, insert the following:

"(13) Notwithstanding any other provision in this section, for each integrated system plan approved:

(a) No customer taking only bundled electric service shall be required to pay in rates more than two percent of their billed revenues per year for costs incurred pursuant to decarbonization and electrification measures included in an approved integrated system plan. Costs shall not be allocated to unbundled electric customers.

(b) No customer taking only natural gas service shall be required to pay in rates more than two percent of their billed margin revenues in rates per year for costs incurred pursuant to decarbonization and electrification measures included in an approved integrated system plan. Costs shall not be allocated to transportation only customers.

(c) No customer taking both bundled electric service and full requirements natural gas service shall be required to pay more than four percent of their billed revenues per year for costs incurred pursuant to an approved integrated system plan. If the natural gas service taken by a combined customer is transportation only service, no customer shall be required to pay more than two percent of their billed margin revenues per year for costs incurred pursuant to decarbonization and electrification measures included in an approved integrated system plan."

Senator MacEwen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 838 by Senator MacEwen on page 14, after line 39 to the committee striking amendment.

The motion by Senator MacEwen did not carry and amendment no. 838 was not adopted by voice vote.

MOTION

Senator Nguyen moved that the following amendment no. 756 by Senator Nguyen be adopted:

On page 16, line 20, after "interest" insert ", and the construction, investment, or purchase, including entering into a power purchase agreement, complies with the commission's administrative rules governing electric resource procurement"

On page 27, line 3, after "The" strike "large combination utility" and insert "project owner"

Senator Nguyen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator MacEwen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 756 by Senator Nguyen on page 16, line 20 to the committee striking amendment.

The motion by Senator Nguyen carried and amendment no. 756 was adopted by a rising vote.

MOTION

Senator Short moved that the following amendment no. 817 by Senator Short be adopted:

On page 18, after line 2, insert the following:

"(9) The commission may not approve a certificate of necessity under this section until it has considered whether approval would violate Article I, section 12 of the state Constitution, which prohibits granting special privileges to corporations."

Senator Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 817 by Senator Short on page 18, after line 2 to the committee striking amendment.

The motion by Senator Short did not carry and amendment no. 817 was not adopted by voice vote.

MOTION

Senator Braun moved that the following amendment no. 846 by Senator Braun be adopted:

Beginning on page 18, line 28, strike all of section 7.

Re-number the remaining sections consecutively and correct any internal references accordingly.

Senators Braun and Boehnke spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 846 by Senator Braun on page 18, line 28 to the committee striking amendment.

The motion by Senator Braun did not carry and amendment no. 846 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 821 by Senator Wilson, J. be adopted:

On page 19, line 9, after "for" strike "low-income" and insert "all"

Senator Wilson, J. spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Lovelett spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 821 by Senator Wilson, J. on page 19, line 9 to the committee striking amendment.

The motion by Senator Wilson, J. did not carry and amendment no. 821 was not adopted by voice vote.

MOTION

Senator Nguyen moved that the following amendment no. 797 by Senators Mullet and Nguyen be adopted:

On page 19, beginning on line 9, after "customers." strike all material through "classes." on line 12

On page 25, beginning on line 19, strike all of section 10

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 28, beginning on line 28, after "19.280.030" strike "80.28.110,"

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Senator Nguyen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator MacEwen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 797 by Senators Mullet and Nguyen on page 19, line 9 to the committee striking amendment.

The motion by Senator Nguyen carried and amendment no. 797 was adopted by a rising vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 832 by Senator Wilson, L. be adopted:

Beginning on page 19, line 27, strike all of section 8

Re-number the remaining sections consecutively and correct any internal references accordingly.

Senators Wilson, L. and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Lovelett spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Wilson, L. on page 19, line 27 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Wilson, L. and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Saldaña.

MOTION

Senator Braun moved that the following amendment no. 828 by Senator Braun be adopted:

On page 26, line 15, after "reliability." insert "A large combination utility may not proceed with geographically targeted electrification in an area served by a consumer-owned utility if the consumer-owned utility determines that its electrical distribution equipment cannot be upgraded to adequately preserve system reliability."

Senators Braun, Wagoner, Padden, Gildon, Short, Boehnke and Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Lovelett spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Braun on page 26, line 15, to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Excused: Senator Saldaña.

MOTION

Senator King moved that the following amendment no. 826 by Senator King be adopted:

Beginning on page 26, line 33, strike all of section 12

Re-number the remaining sections consecutively and correct any internal references accordingly.

Senator King spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Lovelett spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 826 by Senator King on page 26, line 33 to the committee striking amendment.

The motion by Senator King did not carry and amendment no. 826 was not adopted by voice vote.

MOTION

Senator Boehnke moved that the following amendment no. 823 by Senator Boehnke be adopted:

Beginning on page 27, line 21, strike all of section 14

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 28, beginning on line 28, after "19.280.030" strike all material through "80.24.010" on line 29 and insert "and 80.28.110"

Senator Boehnke spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Lovelett spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 823 by Senator Boehnke on page 27, line 21 to the committee striking amendment.

The motion by Senator Boehnke did not carry and amendment no. 823 was not adopted by voice vote.

MOTION

Senator Boehnke moved that the following amendment no. 820 by Senator Boehnke be adopted:

On page 27, line 38, after "section." insert "A large combination utility may not increase rates or other charges to utility customers in order to cover the increased regulatory fees authorized under this act."

Senator Boehnke spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Lovelett spoke against adoption of the amendment to the committee striking amendment.

Senator Boehnke demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Boehnke on page 27, line 38 to Engrossed Substitute House Bill No. 1589.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Boehnke and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Saldaña.

MOTION

Senator MacEwen moved that the following amendment no. 836 by Senator MacEwen be adopted:

On page 28, after line 15, insert the following:

"**Sec. 15.** RCW 82.16.020 and 2017 3rd sp.s. c 10 s 14 are each amended to read as follows:

(1) There is levied and collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax is equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

(a) Express, sewerage collection, and telegraph businesses: Three and six-tenths percent;

(b) Light and power business: Three and sixty-two one-hundredths percent;

(c) Gas distribution business: Three and six-tenths percent;

(d) Urban transportation business: Six-tenths of one percent;

(e) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

(f) Motor transportation, railroad, railroad car, and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent;

(g) Water distribution business: Four and seven-tenths percent;

(h) Log transportation business: One and twenty-eight one-hundredths percent. The reduced rate established in this subsection (1)(h) is not subject to the ten-year expiration provision in RCW 82.32.805(1)(a).

(2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.

(3) Twenty percent of the moneys collected under subsection (1) of this section on water distribution businesses and sixty percent of the moneys collected under subsection (1) of this section on sewerage collection businesses must be deposited in the education legacy trust account created in RCW 83.100.230 from July 1, 2013, through June 30, 2023, and thereafter in the public works assistance account created in RCW 43.155.050.

(4) Beginning July 1, 2025, an additional tax is imposed on any business that is a foreign-owned large combination utility, as the term "large combination utility" is defined in section 2 of this act, equal to the gross income of the business, multiplied by 1.75 percent. Moneys collected under this subsection must be deposited in the general fund and must be expended for a utility rebate program."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 28, line 29, after "80.28.110," strike "and 80.24.010" and insert "80.24.010, and 82.16.020"

Senator MacEwen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 836 by Senator MacEwen on page 28, after line 15 to the committee striking amendment.

The motion by Senator MacEwen did not carry and amendment no. 836 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 833 by Senator Wilson, L. be adopted:

On page 28, beginning on line 23, strike all of section 18 and insert the following:

"**NEW SECTION. Sec. 18.** This act shall not take effect until the attorney general publishes a formal memorandum analyzing the application of the United States Court of Appeals for the Ninth Circuit's opinion in *California Restaurant Association v. City of Berkeley*, which held that state and local governments may not limit the availability of natural gas in a manner that is preempted by the federal energy policy and conservation act. The attorney general shall provide the memorandum to the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and post it to the attorney general's public website."

On page 28, line 30, after "and" strike "declaring an emergency" and insert "providing a contingent effective date"

Senators Wilson, L., Short, MacEwen and Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Lovelett spoke against adoption of the amendment to the committee striking amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

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The President declared the question before the Senate to be the adoption of the amendment by Senator Wilson, L. on page 28, line 23 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Wilson, L. and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Randall, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Robinson, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Saldaña.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Environment, Energy & Technology as amended to Engrossed Substitute House Bill No. 1589.

The motion by Senator Nguyen carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Substitute House Bill No. 1589 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

POINT OF ORDER

Senator Short: "Mr. President, Engrossed Substitute House Bill No. 1589 as amended violates Senate Rule No. 26 because the bill amends existing law by reference without setting them forth in full. I can offer you Mr. President, if I might, a brief argument to that point?"

President Heck: "Please proceed."

Senator Short: "Thank you Mr. President. Senate Rule No. 26 forbids us from amending laws by reference and requires us to make sure amended laws are set forth in full length. This bill violates that rule. And I want to direct your attention, Mr. President, to section 3 of the bill, which empowers the UTC [Utilities & Transportation Commission] to consolidate for a large combination utility several different statutory planning and regulatory processes that are laid out in chapters, and I will outline those chapters: 19.280, 19.285, 19.405, 70A.65, 80.28 RCW.

Now the bill does not make the necessary amendments to those or other chapters. Thus, showing the effect of consolidation on preexisting statutes, Mr. President, that a utility must meet. This means that they impermissibly add or amend several statutes by mere reference without fully showing the effective changes of those laws.

It is important because neither the Legislature nor the public will be able to discern which provisions of current law will apply to large combination utilities unless those laws are shown as amended. But it also, State, our Supreme Court has recently held that the prohibition against amending by reference helps make

sure that the effect of new legislation, and this is new legislation Mr. President, is clear. And to avoid confusion, ambiguity, and uncertainty in the statutory law through the existing of separate and disconnected legislative provisions scattered throughout our law.

Mr. President, I respectfully request a ruling that Engrossed Substitute House Bill No. 1589 as amended violates Senate Rule No. 26 because it amends several statutes by reference without setting them forth at full length, thus concealing the full effect of the bill. Thank you Mr. President."

President Heck: "Senator Pedersen."

Senator Pedersen: "Thank you very much Mr. President. I think we are also full supportive of Article II, Section 37 of the Constitution and Rule No. 26. However, Mr. President, I believe strongly that the bill does not actually amend any of those chapters to which the Gentledady from the 7th District referred. Mr. President, I would direct your attention to section 3, sub. 2A, at the last sentence. And, may I read from the striking amendment Mr. President?"

President Heck: "Please."

Senator Pedersen: "The last sentence says, 'the statutorily required contents of any plan consolidated into an integrated system plan must be met by the integrated system plan.' In other words, the consolidation is going to leave the plan subject to all of the existing requirements stacked on top of each other. And, of course, it will be up to the Commission to work through how to, how they interact with each other. But that is exactly the case under existing law. So, Mr. President, there is no amendment, let alone an amendment by reference and I think the point of order, encourage you to find, that the point of order is not well taken."

MOTION

At 1:21 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of a brief meeting of the Committee on Rules immediately at the rostrum, a lunch break and caucuses.

AFTERNOON SESSION

The Senate was called to order at 3:46 p.m. by the President of the Senate, Lt. Governor Heck presiding.

The Senate immediately resumed consideration of Engrossed Substitute House Bill No. 1589.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589, by House Committee on Environment & Energy (originally sponsored by Doglio, Fitzgibbon, Berry, Alvarado, Bateman, Ramel, Peterson, Lekanoff, Hackney, Macri, and Kloba)

Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future.

RULING BY THE PRESIDENT

President Heck: "In ruling on the point of order by Senator Short that Engrossed Substitute House Bill No. 1589 is

improperly before the Senate, as it violates Senate Rule 26, the President finds and rules as follows:

Senate Rule 26 is identical to Article II, Section 37 of our Washington State Constitution, and provides that, 'No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.'

Please bear with the President, as it appears that this is a matter of first impression, and this will be a lengthy explanation.

First, and most importantly, the President believes that everyone on this floor can agree that our Legislature has some of the finest professional drafters anywhere. The following remarks have nothing to do with Legislative staff or their work.

There is no other way of saying this clearly. The President is troubled as he observes that the drafting and construction of this bill is very simply a hot mess.

Courts looking at potential violations of the prohibition on amending by reference have used the following test:

1. Is the new bill such a complete act that the scope of the rights or duties created or affected by the bill can be determined without referring to any other statute?; and
2. Would a straightforward determination of the scope of rights or duties under the existing statutes be rendered erroneous by the new enactment?

So now turning to Engrossed Substitute House Bill No. 1589:

There are multiple planning requirements for utilities located in various statutes spread across the RCW's. Section 3 of Engrossed Substitute House Bill No. 1589 authorizes the utilities and transportation commission (UTC) to allow the consolidation of these multiple planning requirements into a single plan approved by the UTC, but only for 'large combination utilities'.

Critically, these large combination utilities are no longer required to file the individual plans that become part of this consolidation. The various other planning statutes continue to provide that the individual plans are required for all utilities – with no exemption for large combination utilities. Their very specific requirements and timelines remain in statute without amendment in this bill.

While Section 3, Subsection 2(a) provides that, "The statutorily required contents of any plan consolidated into an integrated system plan must be met by the integrated system plan," the President is troubled that the existing planning requirements still remain unamended in the various RCWs.

Turning to the first question for whether a bill is attempting to amend without setting forth provisions in full – Is Engrossed Substitute House Bill No. 1589 so complete that one can determine the rights and duties without referring to other statutes? The answer is no. Section 3 calls out a number of statutory chapters that 'may' be affected and says that the statutes affected are not limited to that very list. The President simply cannot look at Engrossed Substitute House Bill No. 1589 and know which plans the UTC is being given the authority to consolidate, and which statutory requirements will be waived based on this new rulemaking.

On question two – would any of the rights or duties under existing statutes be rendered erroneous by Engrossed Substitute House Bill No. 1589? The answer is yes. There are plans in various statutes. These statutes provide requirements for filing and there is nothing in the bill that amends those statutes to allow the UTC to consolidate the plans and remove the requirement for a large combination utility to file the plan.

Again, the purpose of the rule is not to restrict the Senate as to content. The goals of this bill can certainly be achieved by the Senate, by this Senate, but it must be drafted correctly.

The President would like to emphasize that there is a way to repair this bill. It merely needs to be drafted to include those

sections of law that Engrossed Substitute House Bill No. 1589 proposes to amend, and clearly amend them to allow the UTC to do rule making to consolidate the plans for large combination utilities.

The President also cautions that this opinion is not an opening to object to every bill on this basis. Many bills affect the reading of other statutes in some way, but do not rise to the level of a violation of Rule 26. This bill is unique. It is simply outside the boundaries of normal drafting standards. The President encourages those who endeavor to draft legislation to listen to the advice of our legislative staff.

For these reasons the President finds that Senator Short's point is well taken, and that Engrossed Substitute House Bill No. 1589 in its current form is in violation of Senate Rule No. 26 and is not properly before the Senate."

MOTIONS

On motion of Senator Pedersen, the rules were suspended and Engrossed Substitute House Bill No. 1589 was returned to second reading for the purposes of amendment.

On motion of Senator Pedersen, further consideration of Engrossed Substitute House Bill No. 1589 was deferred and the bill held its place on the second reading calendar.

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

MESSAGES FROM THE HOUSE

February 29, 2024

MR. PRESIDENT:

The Speaker has signed:

- HOUSE BILL NO. 1153,
- HOUSE BILL NO. 1726,
- HOUSE BILL NO. 1876,
- SUBSTITUTE HOUSE BILL NO. 1880,
- SUBSTITUTE HOUSE BILL NO. 1889,
- HOUSE BILL NO. 1955,
- HOUSE BILL NO. 1962,
- SUBSTITUTE HOUSE BILL NO. 1974,
- HOUSE BILL NO. 2034,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041,
- SUBSTITUTE HOUSE BILL NO. 2075,
- SECOND SUBSTITUTE HOUSE BILL NO. 2151,
- SUBSTITUTE HOUSE BILL NO. 2216,
- SUBSTITUTE HOUSE BILL NO. 2329,
- SUBSTITUTE HOUSE BILL NO. 2355,
- SUBSTITUTE HOUSE BILL NO. 2368,
- HOUSE BILL NO. 2433,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 29, 2024

MR. PRESIDENT:

The Speaker has signed:

- SENATE BILL NO. 5508,
- SENATE BILL NO. 5885,
- SENATE BILL NO. 5886,
- SUBSTITUTE SENATE BILL NO. 5935,
- SENATE BILL NO. 5970,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5974,
- SENATE BILL NO. 5982,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6007,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

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February 28, 2024

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE SENATE BILL NO. 5427,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5589,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5801,
- SUBSTITUTE SENATE BILL NO. 5803,
- SUBSTITUTE SENATE BILL NO. 5806,
- SENATE BILL NO. 5821,
- SUBSTITUTE SENATE BILL NO. 5829,
- ENGROSSED SECOND SUBSTITUTE
- SENATE BILL NO. 5853,
- SENATE BILL NO. 6079,
- SENATE BILL NO. 6229,
- SENATE BILL NO. 6283,

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8009, and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 28, 2024

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE SENATE BILL NO. 5306,
- ENGROSSED SECOND SUBSTITUTE
- SENATE BILL NO. 5937,
- SUBSTITUTE SENATE BILL NO. 6192,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1992, by Representatives Timmons, Lekanoff, Ramel, Fosse, and Reeves

Adding an additional superior court judge in Whatcom county.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 1992 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1992.

MOTION

On motion of Senator Wagoner, Senator Warnick was excused.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1992 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen,

Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liiias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1992, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2004, by Representatives McEntire, Leavitt, Couture, Slatter, Ryu, Senn, Graham, Callan, Sandlin, and Shavers

Providing early registration at institutions of higher education for military students.

The measure was read the second time.

MOTION

On motion of Senator Holy, the rules were suspended, House Bill No. 2004 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Hansen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2004.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2004 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liiias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 2004, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2320, by House Committee on Appropriations (originally sponsored by Representatives Davis, Eslick, Bergquist, Callan, Dent, Dye, Senn, Leavitt, Harris, Ryu, Walen, Peterson, Pollet, and Ramel)

Concerning high THC cannabis products.

The measure was read the second time.

MOTION

Senator Salomon moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is a growing body of research evidencing that consuming cannabis with high concentrations of THC may be harmful to some people, including younger persons and persons who have or are at risk for developing certain mental health conditions or psychotic disorders. Products like THC-infused vape oils, shatter, and dabs can contain close to 100 percent THC, and may carry risks not commonly associated with consumption of useable cannabis flower or other cannabis products with relatively lower THC concentrations. In the interest of public health, the legislature intends to review studies and consider increasing the minimum legal age of sale of high THC cannabis products to age 25, and the legislature intends to require caution notices, developed by the department of health, to be posted at the point of sale in cannabis retail outlets to raise awareness about possible health impacts and risks associated with high THC cannabis. The legislature further intends to implement and study health interventions, gather data, and ensure that new research, data, and information concerning the impacts of high THC cannabis continues to be incorporated into state policy.

NEW SECTION. Sec. 2. The legislature intends to provide the department of health with recurring funding available each fiscal year, beginning in fiscal year 2025, to allow the department of health to issue requests for proposals and contract for targeted public health messages and social marketing campaigns directed toward individuals most likely to suffer negative impacts of high THC products including persons under 25 years of age and persons living with mental health challenges. Messages and media campaigns funded must include information about risks, comparative dosing of cannabis products, and resources for persons seeking support for quitting or decreasing their intake of tetrahydrocannabinol. The content of public health messages and social marketing campaigns must be developed in partnership with persons targeted by the messages and campaigns and in consultation with professionals proficient in public health communication and in cannabis research.

NEW SECTION. Sec. 3. By July 1, 2025, the department of health must develop an optional training that cannabis retail staff may complete to better understand the health and safety impacts of high THC cannabis products. In developing the optional training, the department of health must consult with cannabis retail staff, cannabis consumers, persons who have been harmed by high THC products, health care providers, prevention professionals, researchers with relevant expertise, behavioral health providers, and representatives of licensed cannabis businesses.

Sec. 4. RCW 69.50.357 and 2022 c 16 s 71 are each amended to read as follows:

(1)(a) Retail outlets may not sell products or services other than cannabis concentrates, useable cannabis, cannabis-infused products, or paraphernalia intended for the storage or use of cannabis concentrates, useable cannabis, or cannabis-infused products.

(b)(i) Retail outlets may receive lockable boxes, intended for the secure storage of cannabis products and paraphernalia, and related literature as a donation from another person or entity, that is not a cannabis producer, processor, or retailer, for donation to their customers.

(ii) Retail outlets may donate the lockable boxes and provide the related literature to any person eligible to purchase cannabis products under subsection (2) of this section. Retail outlets may not use the donation of lockable boxes or literature as an incentive

or as a condition of a recipient's purchase of a cannabis product or paraphernalia.

(iii) Retail outlets may also purchase and sell lockable boxes, provided that the sales price is not less than the cost of acquisition.

(2) Licensed cannabis retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement, but may not purchase products for their personal medical use.

(3)(a) Licensed cannabis retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed cannabis retailers with a medical cannabis endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase cannabis for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) Except for the purposes of disposal as authorized by the board, no licensed cannabis retailer or employee of a retail outlet may open or consume, or allow to be opened or consumed, any cannabis concentrates, useable cannabis, or cannabis-infused product on the outlet premises.

(5)(a) By December 31, 2024, licensed cannabis retailers shall post a conspicuous notice at the point of sale in retail outlets with information about: (i) The potential health risks and adverse health impacts that may be associated with the consumption of high THC cannabis; (ii) the potentially much higher risks that may be present for younger persons under age 25 as well as for persons who have or are at risk for developing certain mental health conditions or psychotic disorders; and (iii) where to find help in case of negative effects and resources for quitting or reducing cannabis consumption. The notice must be the same or substantially the same as the notice developed by the department of health under this subsection (5).

(b) The department of health shall develop the notice required under this section and make it available to licensed cannabis retailers. The notice must, at a minimum, identify the information specified in (a)(i) through (iii) of this subsection, and may include additional information.

(6) The board must fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated cannabis account created under RCW 69.50.530.

NEW SECTION. Sec. 5. A new section is added to chapter 28B.20 RCW to read as follows:

(1) Subject to amounts appropriated for this specific purpose, the University of Washington addictions, drug, and alcohol institute must develop, implement, test, and evaluate guidance and health interventions for health care providers and patients at risk for developing serious complications due to cannabis

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consumption who are seeking care in emergency departments, primary care settings, behavioral health settings, other health care facilities, and for use by state poison control and recovery hotlines to promote cannabis use reduction and cessation for the following populations:

(a) Youth and adults at high risk of adverse mental health impacts from use of high THC cannabis;

(b) Youth and adults who have experienced a cannabis-induced first episode psychosis but do not have a diagnosis of a psychotic disorder; and

(c) Youth and adults who have a diagnosed psychotic disorder and use cannabis.

(2) The University of Washington addictions, drug, and alcohol institute must submit a preliminary report to the appropriate committees of the legislature summarizing the progress toward developing and testing health interventions and recruiting patients and health care facilities to participate by December 1, 2025. The institute must provide a progress report on initial outcomes of the health interventions for participating patients and health care facilities by July 1, 2027. The institute must submit a final report to the appropriate committees of the legislature summarizing the results of the interventions and any recommendations for implementation of health interventions by December 1, 2028.

(3) A contract entered under the authorization in this section must include, in the scope of work, data gathering on adverse health impacts occurring in Washington associated with consumption of high THC cannabis, and data gathered must be included in the reports submitted to the legislature under this section.

(4) This section expires December 31, 2028.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 4 of the title, after "psychosis;" strike the remainder of the title and insert "amending RCW 69.50.357; adding a new section to chapter 28B.20 RCW; creating new sections; and providing an expiration date."

MOTION

Senator Keiser moved that the following amendment no. 845 by Senators Keiser and Salomon be adopted:

On page 5, line 3, after "(3)" strike all material through "section" and insert "The work by the University of Washington addictions, drug, and alcohol institute"

Senator Salomon spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 845 by Senators Keiser and Salomon on page 5, line 3 to the committee striking amendment.

The motion by Senator Keiser carried and amendment no. 845 was adopted by voice vote.

MOTIONS

On motion of Senator Nobles, Senator Lovelett was excused. Senator Keiser moved that the following amendment no. 804 by Senator Keiser be adopted:

On page 5, after line 8, insert the following:

"NEW SECTION. Sec. 6. (1) Beginning December 1, 2024, the liquor and cannabis board must collect data on the following information on cannabis products sold within Washington state:

(a) The amount of products being sold in the following categories: Usable cannabis, cannabis concentrates, and cannabis-infused products;

(b) The average THC concentration in usable cannabis and cannabis concentrates, and the average milligrams of THC per unit in cannabis-infused products; and

(c) The range of THC concentration in usable cannabis and cannabis concentrates.

(2) By November 14, 2025, the liquor and cannabis board must submit a report to the relevant committees of the legislature on the information collected under subsection (1) of this section.

(3) For the purposes of this section, "product" has the meaning provided in RCW 69.50.535.

(4) This section expires December 31, 2026."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 5, line 16, after "providing" strike "an expiration date" and insert "expiration dates"

Senators Keiser and King spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 804 by Senator Keiser on page 5, after line 8 to the committee striking amendment.

The motion by Senator Keiser carried and amendment no. 804 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, amendment no. 851 by Senators King and Keiser on page 5, line 12 to the committee striking amendment was withdrawn.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce as amended to Second Substitute House Bill No. 2320.

The motion by Senator Salomon carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Second Substitute House Bill No. 2320 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2320 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2320 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King,

Kuderer, Liias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Schoesler

Excused: Senator Lovelett

SECOND SUBSTITUTE HOUSE BILL NO. 2320 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2032, by Representatives Cheney, Low, Ramos, and Graham

Reducing the size of yard signs that are exempt from certain political advertising disclosure requirements.

The measure was read the second time.

MOTION

Senator Hunt moved that the following amendment no. 712 by Senator Hunt be adopted:

On page 3, line 38, after "that" strike "the sponsor's name and address, and" and insert "~~((the sponsor's name and address, and))~~"

On page 3, line 40, after "42.17A.350" strike "," and insert "~~((,))~~"

On page 4, beginning on line 6, after "than" strike all material through "18 inches" on line 7 and insert "eight feet by four feet"

Senators Hunt and Wilson, J. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 712 by Senator Hunt on page 3, line 38 to House Bill No. 2032.

The motion by Senator Hunt carried and amendment no. 712 was adopted by voice vote.

MOTION

On motion of Senator Wilson, J., the rules were suspended, House Bill No. 2032 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2032 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2032 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short,

Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 2032 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277, by House Committee on Education (originally sponsored by Representatives Donaghy, Harris, Slatter, Kloba, Reeves, Reed, Ormsby, and Pollet)

Revised for first substitute: Improving the consistency and quality of the implementation of the fundamental course of study for paraeducators.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature acknowledges that it created the paraeducator board to adopt standards of practice and required school districts to provide to paraeducators a four-day fundamental course of study on the standards to paraeducators. The legislature finds that it required that at least one day of the fundamental course of study be provided in person due to the benefits of in-person instruction, including that instructors can confirm the participant's application of learning objectives.

(2) The legislature recognizes that paraeducators benefit from in-person training that is part of the hiring and onboarding process. The legislature intends to expand this benefit by generally requiring two days of the fundamental course of study be provided to paraeducators in person. The legislature recognizes that an exemption from this in-person requirement is necessary for some small school districts that experience barriers to providing the fundamental course of study in person due to long commute times for paraeducators, irregular hiring dates in small school districts, and other extenuating circumstances.

(3) However, it is the intent of the legislature to ensure that all paraeducators in Washington receive high quality and consistent professional development through the fundamental course of study, with a significant majority of paraeducators being trained in person.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.413 RCW to read as follows:

(1) By July 1, 2025, the board must update rules on the implementation of the fundamental course of study under RCW 28A.413.060 to require that a significant majority of paraeducators are provided with the course in person. Under the rules, the board may grant an exemption from the in-person requirement of RCW 28A.413.060 for second-class school districts hiring paraeducators after the beginning of the school year.

(2) By July 1, 2025, the board must publish guidance for school districts on how to provide the fundamental course of study under

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RCW 28A.413.060 to improve the consistency and quality of staff development.

Sec. 3. RCW 28A.413.060 and 2019 c 268 s 3 are each amended to read as follows:

(1) School districts must implement this section only in school years for which state funding is appropriated specifically for the purposes of this section and only for the number of days that are funded by the appropriation.

(2)(a) School districts must provide a four-day fundamental course of study on the state standards of practice, as defined by the board, to paraeducators who have not completed the course, either in the district or in another district within the state. ~~((At least one day of the fundamental course of study must be provided in person.))~~

(b) School districts must use best efforts to provide the fundamental course of study before the paraeducator begins to work with students and their families, and at a minimum by the following deadlines ~~((provided in subsection (3) of this section.~~

~~((3) Except as provided in (b) of this subsection, school districts must provide the fundamental course of study required in subsection (2) of this section by the deadlines provided in (a) of this subsection)):~~

~~((a))~~(i) For paraeducators hired ~~((on or))~~ before ~~((September 1st))~~ the beginning of the school year, the first two days of the fundamental course of study must be provided ~~((by September 30th of that year))~~ in person before the beginning of the school year and the second two days of the fundamental course of study must be provided within six months of the date of hire ~~((; regardless of the size of the district))~~; and

(ii) For paraeducators hired after ~~((September 1st))~~ the beginning of the school year:

(A) For paraeducators hired by first-class districts ~~((with ten thousand or more students))~~, the first two days of the fundamental course of study must be provided in person within four months of the date of hire and the second two days of the fundamental course of study must be provided within six months of the date of hire or by September 1st of the following year, whichever is sooner; and

(B) For paraeducators hired by second-class districts ~~((with fewer than ten thousand students))~~, the four-day fundamental course of study must be provided no later than September 1st of the following year, with two of the days provided in person unless the district has applied for and received an exemption under section 2 of this act.

~~((b))~~(i) For paraeducators hired for the 2018-19 school year, by September 1, 2020; and

~~((ii) For paraeducators not hired for the 2018-19 school year, but hired for the 2019-20 school year, by September 1, 2021.~~

(4)) (3) School districts may collaborate with other school districts or educational service districts to meet the requirements of this section."

On page 1, line 2 of the title, after "paraeducators;" strike the remainder of the title and insert "amending RCW 28A.413.060; adding a new section to chapter 28A.413 RCW; and creating a new section."

Senators Wellman and Hawkins spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Engrossed Substitute House Bill No. 1277.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute House Bill No. 1277 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Hawkins and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1277 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1277 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1911, by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Taylor, Cheney, Ortiz-Self, Reed, Simmons, Ormsby, Reeves, Fosse, and Davis)

Concerning activities in which the office of public defense may engage without violating the prohibition on providing direct representation of clients.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, Substitute House Bill No. 1911 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres, Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1911.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1911 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet,

Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1911, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021, by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Senn, Walen, Berry, Fitzgibbon, Ryu, Duerr, Ramel, Reed, Ormsby, Peterson, Callan, Macri, Gregerson, Farivar, Alvarado, Lekanoff, Doglio, Riccelli, Reeves, Wylie, Santos, Hackney, and Pollet)

Concerning the disposition of privately owned firearms in the custody of state or local government entities or law enforcement agencies.

The measure was read the second time.

MOTION

Senator Wagoner moved that the following amendment no. 812 by Senator Wagoner be adopted:

On page 19, line 9, after "for" strike "low-income" and insert "all"

Senator Wagoner spoke in favor of adoption of the amendment. Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 812 by Senator Wagoner on page 3, line 39 to Engrossed Substitute House Bill No. 2021.

The motion by Senator Wagoner did not carry and amendment no. 812 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 815 by Senator Wilson, L. be adopted:

On page 4, line 4, after "firearms:" insert "requiring proof the person relinquishing the firearm is the legal owner of the firearm:"

Senator Wilson, L. spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 815 by Senator Wilson, L. on page 4, line 4 to Engrossed Substitute House Bill No. 2236.

The motion by Senator Wilson, L. did not carry and amendment no. 815 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 811 by Senator Wagoner be adopted:

On page 4, line 23, after "(5)" strike all material through "as applicable." on line 29 and insert "For purposes of this section, "destroy" means:

(a) Melting or shredding of all parts of a firearm that were attached to the firearm at the time the firearm came into the possession of the state or local government entity or law enforcement agency including, but not limited to, the frame or receiver, barrel, bolt, and grip, as applicable, and any accessories or attachments including, but not limited to, any sight, scope, silencer, or suppressor, as applicable; or

(b) Breaking a firearm down into its separate component parts including, but not limited to, the frame or receiver, barrel, bolt, and grip, as applicable, and any accessories or attachments including, but not limited to, any sight, scope, silencer, or suppressor, as applicable."

Senators Wagoner and Fortunato spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 811 by Senator Wagoner on page 4, line 23 to Engrossed Substitute House Bill No. 2021.

The motion by Senator Wagoner did not carry and amendment no. 811 was not adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 2021 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senator Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2021.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2021 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2021, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236, by House Committee on Education (originally sponsored by Representatives Shavers, Santos, Reed, and Goodman)

Expanding and strengthening career and technical education core plus programs.

The measure was read the second time.

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MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes that career and technical education core plus programs have demonstrated innovation and success in providing meaningful benefits to students and employers through collaborative partnerships that serve as a model for work-integrated learning in Washington. For more than a decade, these programs, and the rigorous career and technical education curricula they incorporate, have prepared students for structured pathways to employment, and presented employers with an expanded pool of candidates with relevant skills and abilities.

(2) Career and technical education core plus programs have been established in three high-demand economic sectors that provide numerous livable wage employment opportunities: Aerospace and advanced manufacturing; construction; and maritime. These programs, which were originally based in manufacturing, but have evolved in response to ever-changing education and economic needs, have been strongly supported by leaders in vital Washington industries, have provided unprecedented education and work-integrated learning opportunities to students. The legislature finds that these successes should be expanded to include an allied health professions program, with a curriculum that is inherently different from that of previously established career and technical education core plus programs, and that related efforts should consider options for future programs that reflect student, teacher, community, and employer needs, including programs in the information technology and natural resources sectors.

(3) Regardless of the sector, continual collaboration between education and industry partners has guided the establishment and operation of career and technical education core plus programs. These joint efforts, and the corresponding financial support from the state and industry partners, have: Focused on developing age-appropriate and developmentally appropriate curricula that is technically focused and academically rigorous; featured employer-supported professional development for teachers; and featured employer-provided worksite-based learning experiences for students and teachers. These elements are instrumental to the success of ongoing programs and offer a strong framework for establishing programs in other industry sectors.

(4) The legislature, therefore, intends to initiate a process for: (a) Soliciting expert recommendations for a career and technical education core plus model framework that can guide: The establishment and operation of successful programs in other high-demand sectors with livable wages and entry-level employment opportunities; and the expansion of operational programs; and (b) establishing a career and technical education program for allied health professions that is responsive to the needs of students, teachers, employers, and communities.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.700 RCW to read as follows:

(1)(a) The office of the superintendent of public instruction, in collaboration with the state board for community and technical colleges, the department of health, the health workforce council convened by the workforce training and education coordinating board, a statewide organization representing career and technical education, representatives from the allied health industry, and representatives from labor organizations representing allied

health professions, shall develop an allied health professions career and technical education program for providing instruction to students who are pursuing industry-recognized nondegree credentials that: (i) Lead to entry level positions in allied health professions; and (ii) lead or articulate to either related, recognized nondegree credentials or two or four-year degrees, or both. The program may include career and technical education courses offered prior to January 1, 2024, and courses developed or modified specifically for the program.

(b) Curriculum and other instructional materials for the program, that reflect consideration of the provisions in section 3(3)(c)(i) through (x) of this act, must be available for optional use in school districts and skill centers beginning in the 2027-28 school year.

(2) In meeting the requirements of this section, the office of the superintendent of public instruction shall:

(a) Consult with representatives from allied health profession employers and labor organizations representing allied health employees for the purpose of promoting industry sector partnerships, developing relationships with employers that are committed to hiring students who have completed the program, and soliciting recommendations for the establishment of the program on the following topics:

(i) Promotion of student input and awareness of the program, including its instructional offerings and potential work placement opportunities;

(ii) Curriculum;

(iii) Courses and course sequencing;

(iv) Development, maintenance, and expansion of industry, labor, and community partnerships;

(v) Program credentials;

(vi) Professional development for teachers; and

(vii) Other issues deemed necessary by the office of the superintendent of public instruction and the entities with which it must collaborate with as required in subsection (1)(a) of this section;

(b) Implement a process for soliciting comments about the program's establishment and operation from teachers and students, including students' parents or guardians; and

(c) Consider any preliminary or final recommendations of the statewide career and technical education task force established in section 3 of this act.

(3) Following the establishment of the program, the office of the superintendent of public instruction shall convene and collaborate with an advisory committee consisting of industry leadership from the allied health sector, representatives from a statewide entity representing businesses in the sector, and representatives from labor organizations representing employees in allied health professions for the purpose of:

(a) Informing the administration and continual improvement of the program;

(b) Reviewing data and outcomes;

(c) Recommending program improvements;

(d) Ensuring that the program reflects needed industry competencies; and

(e) Identifying appropriate program credentials.

(4) The office of the superintendent of public instruction may adopt and revise rules as necessary for the implementation of this section.

NEW SECTION. Sec. 3. (1) The statewide career and technical education task force is established in the office of the superintendent of public instruction. The members of the task force are as follows:

(a) The superintendent of public instruction or the superintendent's designee;

(b) Two representatives from a statewide organization representing career and technical education, at least one of whom must be a career and technical education core plus classroom instructor;

(c) A representative of career and technical education core plus aerospace and advanced manufacturing selected by an organization representing aerospace or advanced industrial manufacturers;

(d) A representative of career and technical education core plus construction selected by an organization representing general contractors;

(e) A representative of career and technical education core plus maritime selected by an organization representing maritime interests;

(f) A representative from the state board for community and technical colleges selected by the state board for community and technical colleges;

(g) A representative from a skill center as selected by the Washington state skill center association;

(h) A representative from the allied health industry; and

(i) A representative from the workforce training and education coordinating board selected by the workforce training and education coordinating board.

(2) The superintendent of public instruction or the superintendent's designee shall chair the task force, and staff support for the task force must be provided by the office of the superintendent of public instruction.

(3) The task force shall develop recommendations for:

(a) Expanding and strengthening the accessibility, stability, and uniformity of secondary work-integrated learning opportunities, including career and technical education, career connected learning, regional apprenticeship programs, career and technical education core plus programs, work-based learning, internships and externships, and other types of work-integrated learning. Recommendations required by this subsection (3)(a) should address governance, operations, and codification, and must be in the form of draft legislation. The legislature does not intend for recommendations required by this subsection (3)(a) to modify the operation of career and technical education core plus programs established prior to January 1, 2024;

(b) The successful administration and operation of career and technical education core plus programs through appropriate collaboration with industry sector leadership from program areas to inform the administration and continual improvement of the programs, review data outcomes, recommend program improvements, ensure that the programs reflect applicable industry competencies, and identify appropriate program credentials; and

(c) A career and technical education core plus model framework that can be used to guide the expansion, establishment, and operation of career and technical education core plus programs. In making recommendations in accordance with this subsection (3)(c), the task force must consider, at a minimum, the following:

(i) Curricula and instructional hours that lead or articulate to industry-recognized nondegree credentials;

(ii) Curricula provided without cost to educators;

(iii) Academic course equivalencies;

(iv) Courses and course sequencing;

(v) The development, maintenance, and expansion of industry, labor, and community partnerships;

(vi) Program credentials;

(vii) Training and professional development for educators and counselors;

(viii) Alignment with postsecondary education and training programs;

(ix) The promotion of student, family, and community awareness of career and technical education core plus programs, including instructional offerings and potential work placement opportunities; and

(x) The development and expansion of a cohort of employers willing to hire and place students that have successfully completed career and technical education core plus programs.

(4) The task force, in accordance with RCW 43.01.036, shall report its findings and recommendations to the governor, the appropriate fiscal and policy committees of the legislature, and the state board of education by November 15, 2025.

(5) This section expires June 30, 2026."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "adding a new section to chapter 28A.700 RCW; creating new sections; and providing an expiration date."

Senators Wellman and Hawkins spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Engrossed Substitute House Bill No. 2236.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute House Bill No. 2236 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2236 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2236 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239, by House Committee on Appropriations (originally

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sponsored by Representatives Santos, Kloba, Morgan, Ramel, and Pollet)

Establishing a simple and uniform system for complaints related to, and instituting a code of educator ethics for, conduct within or involving public elementary and secondary schools.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Fourth Substitute House Bill No. 1239 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Hawkins and Gildon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Fourth Substitute House Bill No. 1239.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Fourth Substitute House Bill No. 1239 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2306, by House Committee on Finance (originally sponsored by Representatives Steele and Callan)

Allowing main street programs to use remaining main street tax credits after a certain date.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Substitute House Bill No. 2306 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2306.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2306 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248, by House Committee on Appropriations (originally sponsored by Representatives Stonier, Harris, Senn, Simmons, Ryu, Reeves, Bergquist, Eslick, Pollet, and Reed)

Concerning pupil transportation.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that school bus drivers play a crucial role in ensuring students' safe passage to and from school, preventing absences, and extending a positive school climate beyond the classroom. By delivering this essential service, school bus drivers provide a significant time and convenience benefit to thousands of Washington families, remove cars from the road, reduce overall emissions, and increase traffic safety. However, a recent national survey revealed that 94 percent of bus contractors experience driver shortages, with 21 percent reporting their shortages as severe. With this act, the state of Washington intends to encourage the retention of bus drivers who provide vital services to local communities.

Sec. 2. RCW 28A.160.140 and 1990 c 33 s 140 are each amended to read as follows:

(1) As a condition of entering into a pupil transportation services contract with a private nongovernmental entity, each school district shall engage in an open competitive process at least once every five years. This requirement shall not be construed to prohibit a district from entering into a pupil transportation services contract of less than five years in duration with a district option to renew, extend, or terminate the contract, if the district engages in an open competitive process at least once every five years after July 26, 1987.

(2)(a) A school district may only enter into, renew, or extend a pupil transportation services contract with a private nongovernmental entity if that entity provides the following to, or on behalf of, its employees who choose to opt in for coverage:

(i) An employer health benefits contribution equal to the employer payment dollar amount in effect for the first year of the contract for health care benefit rates (cockle rates), published annually by the health care authority, for the school employees' benefits board program for school employees; and

(ii) An amount equivalent to the salaries of the employees of the private nongovernmental entity multiplied by the employer normal cost contribution rate determined under the entry age cost method for the school employees' retirement system, as published in the most recent actuarial valuation report from the office of the state actuary for the first year of the contract.

(b) All pupil transportation service contracts entered into or modified after the effective date of this section must include a detailed explanation of any contract cost increase by year, expenditure type, and amount, including any increases in cost that result from providing the benefits required under this section.

(c) For contracts entered into, renewed, or extended in the 2024 calendar year, the benefits required under this section must be provided to employees by the beginning of the 2025-26 school year.

(3) As used in this section:

~~((+))~~ (a) "Employees" means in-state employees of the private nongovernmental entity working sufficient compensated hours performing services pursuant to the contract with the school district to meet the eligibility requirements for the school employees' benefits board program if the employees were directly employed by a school district;

(b) "Open competitive process" means either one of the following, at the choice of the school district:

~~((+))~~ (i) The solicitation of bids or quotations and the award of contracts under RCW 28A.335.190; or

~~((b))~~ (ii) The competitive solicitation of proposals and their evaluation consistent with the process and criteria recommended or required, as the case may be, by the office of financial management for state agency acquisition of personal service contractors;

~~((2))~~ (c) "Pupil transportation services contract" means a contract for the operation of privately owned or school district owned school buses, and the services of drivers or operators, management and supervisory personnel, and their support personnel such as secretaries, dispatchers, and mechanics, or any combination thereof, to provide students with transportation to and from school on a regular basis; and

~~((3))~~ (d) "School bus" means a motor vehicle as defined in RCW 46.04.521 and under the rules of the superintendent of public instruction.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.160 RCW to read as follows:

(1) A school district that experiences an increase in costs to a pupil transportation services contract as compared to prior year contract costs as a result of the provisions in RCW 28A.160.140 is eligible for supplemental transportation allocations as described in this section.

(2) Beginning September 1, 2024, school districts that provide pupil transportation through a contract with a nongovernmental entity under RCW 28A.160.140 must annually provide the office of the superintendent of public instruction with the following information:

(a) A breakdown of the total contract cost increase, including a detailed explanation of the increase by expenditure type demonstrating dollar equivalency as required in RCW 28A.160.140(2)(a)(i) and percentage equivalency as required in RCW 28A.160.140(2)(a)(ii), as defined by the office of the superintendent of public instruction, and amount;

(b) A breakdown of cost from the contractor that shows the cost to provide health care and pension benefits to employees prior to the effective date of this section and the cost to provide health care and pension benefits to employees after the implementation of benefits as described in RCW 28A.160.140;

(c) The amount of funding received through transportation allocations under RCW 28A.160.150 through 28A.160.192 prior to the implementation of school employee benefits under chapter 41.05 RCW and the amount of funding received through the same transportation allocations for the period immediately following the implementation of school employee benefits under chapter 41.05 RCW, to determine the amount of funding for health care that is already being included in allocations.

(3) The office of the superintendent of public instruction may suspend the reporting requirements under subsection (2) of this section on or after September 1, 2027, for districts that do not request supplemental transportation allocations under this section.

(4) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must reimburse a school district for the increased cost that is directly attributable to increased benefits as required under this act, using the following formula: The total contract cost increase, less any amounts not attributable to benefits required under RCW 28A.160.140, less the amount the allocation was increased based on the actual cost increase through the transportation funding formula."

On page 1, line 1 of the title, after "transportation;" strike the remainder of the title and insert "amending RCW 28A.160.140; adding a new section to chapter 28A.160 RCW; and creating a new section."

Senator Wellman spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Engrossed Substitute House Bill No. 1248.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute House Bill No. 1248 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1248 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1248 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

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Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2044, by Representatives Duerr, Senn, Fitzgibbon, Alvarado, Ryu, Taylor, Callan, Berry, Gregerson, Reed, Macri, Chopp, Bergquist, Goodman, Pollet, Kloba, and Davis

Standardizing limitations on voter-approved property tax levies.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, House Bill No. 2044 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Robinson spoke in favor of passage of the bill.
Senator Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2044.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2044 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hasegawa, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

HOUSE BILL NO. 2044, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1976, by Representatives Fosse, Doglio, Fitzgibbon, Ramel, Reed, Lekanoff, Reeves, and Pollet

Changing the incentive structure for tier 1 and tier 2 buildings.

The measure was read the second time.

MOTION

On motion of Senator Nguyen, the rules were suspended, House Bill No. 1976 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senators Nguyen and MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1976.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1976 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Hasegawa and Padden

HOUSE BILL NO. 1976, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1635, by Representatives Mosbrucker, Walsh, and Eslick

Limiting liability arising from the use of trained police dogs.

The measure was read the second time.

MOTION

Senator King moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.101 RCW to read as follows:

By July 1, 2025, the commission shall develop model standards for the training and certification of canine teams to detect fentanyl. When developing the model standards, the commission shall consult with experts including public and private organizations that train canines to imprint on controlled substances, law enforcement or correctional agencies that use canines to detect controlled substances, and experts on the training of canines for use by law enforcement.

Sec. 2. RCW 4.24.410 and 1993 c 180 s 1 are each amended to read as follows:

(1) As used in this section:

(a) "Police dog" means a dog used by a law enforcement agency specially trained for law enforcement work and under the control of a dog handler.

(b) "Accelerant detection dog" means a dog used exclusively for accelerant detection by the state fire marshal or a fire department and under the control of the state fire marshal or his or her designee or a fire department handler.

(c) "Dog handler" means a law enforcement officer who has successfully completed training as prescribed by the Washington state criminal justice training commission in police dog handling,

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or in the case of an accelerant detection dog, the state fire marshal's designee or an employee of the fire department authorized by the fire chief to be the dog's handler.

(d) "Lawful application of a police dog" means employment or specific use of a police dog as allowed by law.

(2) Any dog handler who uses a police dog in the line of duty in good faith is immune from civil action for damages arising out of such use of the police dog or accelerant detection dog.

(3) A state or local government or law enforcement agency is not strictly liable for damages resulting from the lawful application of a police dog."

On page 1, line 2 of the title, after "dogs;" strike the remainder of the title and insert "amending RCW 4.24.410; and adding a new section to chapter 43.101 RCW."

MOTION

Senator King moved that the following amendment no. 809 by Senator Rivers be adopted:

On page 1, at the beginning of line 5, insert "(1)"

On page 1, beginning on line 8, after "with" strike all material through "enforcement" on line 12 and insert ":

(a) Experts including public and private organizations that train canines to imprint on controlled substances;

(b) Law enforcement or correctional agencies that use canines to detect controlled substances;

(c) Experts on the training of canines for use by law enforcement; and

(d) Licensed medical professionals and veterinarians, to the extent reasonably available, with expertise in: (i) Developing and implementing protocols to minimize exposure of canines and their handlers to opioids and their derivatives, including fentanyl and its derivatives; (ii) detecting clinical signs of such exposure; and (iii) intervening with timely and appropriate medical and veterinary medical treatment in the field, during stabilization and transport, and in-hospital following exposure to opioids and their derivatives, including fentanyl and its derivatives."

Senators King and Dhingra spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 809 by Senator Rivers on page 1, line 5 to the committee striking amendment.

The motion by Senator King carried and amendment no. 809 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice as amended to House Bill No. 1635.

The motion by Senator King carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 1635 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1635 as amended by the Senate.

The Secretary called the roll on the final passage of House Bill No. 1635 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1635 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1618, by House Committee on Appropriations (originally sponsored by Representatives Farivar, Simmons, Wylie, Berry, Walen, Fosse, Morgan, Macri, Pollet, Doglio, Reed, Caldier, and Orwall)

Concerning the statute of limitations for childhood sexual abuse.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute House Bill No. 1618 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1618.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1618 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1618, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, by House Committee on Appropriations (originally sponsored by Representatives Taylor, Couture, and Rule)

Concerning child support pass through.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 26.23.035 and 2020 c 349 s 1 are each amended to read as follows:

(1) The department of social and health services shall adopt rules for the distribution of support money collected by the division of child support. These rules shall:

(a) Comply with Title IV-D of the federal social security act as amended by the personal responsibility and work opportunity reconciliation act of 1996 and the federal deficit reduction act of 2005;

(b) Direct the division of child support to distribute support money within eight days of receipt, unless one of the following circumstances, or similar circumstances specified in the rules, prevents prompt distribution:

(i) The location of the custodial parent is unknown;

(ii) The support debt is in litigation;

(iii) The division of child support cannot identify the responsible parent or the custodian;

(c) Provide for proportionate distribution of support payments if the responsible parent owes a support obligation or a support debt for two or more Title IV-D cases; and

(d) Authorize the distribution of support money, except money collected under 42 U.S.C. Sec. 664, to satisfy a support debt owed to the IV-D custodian before the debt owed to the state when the custodian stops receiving a public assistance grant.

(2) The division of child support may distribute support payments to the payee under the support order or to another person who has lawful physical custody of the child or custody with the payee's consent. The payee may file an application for an adjudicative proceeding to challenge distribution to such other person. Prior to distributing support payments to any person other than the payee, the registry shall:

(a) Obtain a written statement from the child's physical custodian, under penalty of perjury, that the custodian has lawful custody of the child or custody with the payee's consent;

(b) Mail to the responsible parent and to the payee at the payee's last known address a copy of the physical custodian's statement and a notice which states that support payments will be sent to the physical custodian; and

(c) File a copy of the notice with the clerk of the court that entered the original support order.

(3) If the Washington state support registry distributes a support payment to a person in error, the registry may obtain restitution by means of a set-off against future payments received on behalf of the person receiving the erroneous payment, or may act according to RCW 74.20A.270 as deemed appropriate. Any set-off against future support payments shall be limited to amounts collected on the support debt and ~~((ten))~~ 10 percent of amounts collected as current support.

(4) ~~((Effective February 1, 2021, consistent))~~ Consistent with 42 U.S.C. Sec. 657(a) as amended by section 7301(b)(7)(B) of the

federal deficit reduction act of 2005, the department shall pass through ~~((child support that does not exceed fifty dollars per month collected on behalf of a family, or in the case of a family that includes two or more children an amount that is not more than one hundred dollars per month))~~ to a family all amounts collected as current child support each month on behalf of the family. The department has rule-making authority to implement this subsection.

NEW SECTION. Sec. 2. A new section is added to chapter 74.08A RCW to read as follows:

The department shall disregard and not count as income any amount of current child support passed through to applicants or recipients pursuant to RCW 26.23.035 in determining eligibility for and the amount of temporary assistance for needy families or WorkFirst.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 4. This act takes effect January 1, 2026."

On page 1, line 1 of the title, after "through;" strike the remainder of the title and insert "amending RCW 26.23.035; adding a new section to chapter 74.08A RCW; creating a new section; and providing an effective date."

Senator Dhingra spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Engrossed Substitute House Bill No. 1652.

The motion by Senator Dhingra carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1652 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1652 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1652 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652 as amended by the Senate, having received the constitutional

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1996, by House Committee on Consumer Protection & Business (originally sponsored by Representatives Robertson, Chapman, and Graham)

Establishing the Washington recreational vehicle manufacturer and dealer law.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1996 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1996.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1996 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1996, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2348, by House Committee on Finance (originally sponsored by Representatives Street, Chopp, Taylor, Fitzgibbon, Berry, Orwall, Davis, Alvarado, Farivar, Macri, Ryu, Riccelli, and Ormsby)

Concerning county hospital funding.

The measure was read the second time.

MOTION

Senator Pedersen moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 36.62.010 and 1984 c 26 s 1 are each amended to read as follows:

The legislative authority of any county may establish, provide, and maintain hospitals for the care and treatment of the indigent,

sick, injured, or infirm, and for this purpose the county legislative authority may:

(1) Purchase or lease real property or use lands already owned by the county;

(2) Erect all necessary buildings, make all necessary improvements and repairs and alter any existing building for the use of said hospitals;

(3) Use county moneys, levy taxes, and issue bonds as authorized by law, to raise a sufficient amount of money to ~~((over))~~ pay, finance, or refinance the cost of procuring the site, constructing and operating hospitals, and for the maintenance and capital expenses thereof and all other necessary and proper expenses; and

(4) Accept and hold in trust for the county any grant of land, gift or bequest of money, or any donation for the benefit of the purposes of this chapter, and apply the same in accordance with the terms of the gift.

Sec. 2. RCW 36.62.090 and 1984 c 26 s 6 are each amended to read as follows:

If the hospital is established, the county legislative authority, at the time of levying general taxes, may levy an additional regular property tax, not to exceed ~~((fifty))~~ 20 cents per thousand dollars of assessed value in any one year, for the operation, maintenance, and capital expenses of the hospital, and any outpatient clinics operated by the hospital, and for the payment of principal and interest on bonds issued for such purposes. The limitations in RCW 84.52.043 do not apply to the tax levy authorized in this section and the limitation in RCW 84.55.010 does not apply to the first year that the tax levy is imposed under this section.

Sec. 3. RCW 84.52.043 and 2023 c 28 s 5 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levies by the state may not exceed the applicable aggregate rate limit specified in RCW 84.52.065 (2) or (4) adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed \$1.80 per \$1,000 of assessed value; (c) the levy by any road district may not exceed \$2.25 per \$1,000 of assessed value; and (d) the levy by any city or town may not exceed \$3.375 per \$1,000 of assessed value. However, any county is hereby authorized to increase its levy from \$1.80 to a rate not to exceed \$2.475 per \$1,000 of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed \$4.05 per \$1,000 of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed \$5.90 per \$1,000 of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are

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protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the portion of the levy by flood control zone districts that are protected under RCW 84.52.816; (l) levies imposed by a regional transit authority under RCW 81.104.175; (m) levies imposed by any park and recreation district described under RCW 84.52.010(3)(a)(viii); ~~((and))~~ (n) the portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3); and (o) levies for county hospital purposes under RCW 36.62.090.

Sec. 4. RCW 84.52.043 and 2023 c 28 s 6 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levies by the state may not exceed the applicable aggregate rate limit specified in RCW 84.52.065 (2) or (4) adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed \$1.80 per \$1,000 of assessed value; (c) the levy by any road district may not exceed \$2.25 per \$1,000 of assessed value; and (d) the levy by any city or town may not exceed \$3.375 per \$1,000 of assessed value. However any county is hereby authorized to increase its levy from \$1.80 to a rate not to exceed \$2.475 per \$1,000 of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed \$4.05 per \$1,000 of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed \$5.90 per \$1,000 of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the portion of the levy by flood control zone districts that are protected under RCW 84.52.816; (l) levies imposed by a regional transit authority under RCW 81.104.175; ~~((and))~~ (m) the portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3); and (n) levies for county hospital purposes under RCW 36.62.090.

Sec. 5. RCW 84.52.010 and 2023 c 28 s 3 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated, and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however, any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 36.69.145 by a park and recreation district described under (a)(viii) of this subsection (3), 84.34.230, 84.52.069, 84.52.105, 36.62.090, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816, and any portion of a levy resulting from the correction of a levy error under RCW 84.52.085(3), the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 36.69.145 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated. This subsection (3)(a)(viii) only applies to a park and recreation district located on an island and within a county with a population exceeding 2,000,000;

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, 36.62.090, and any portion of the levy imposed under RCW 84.52.069 that is in excess of 30 cents per \$1,000 of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(x) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the 30 cents per \$1,000 of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145 except a park and recreation district described under (a)(viii) of this subsection, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.816 must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts, and the first 50 cents per \$1,000 of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first 50 cents per \$1,000 of assessed valuation

levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first 50 cents per \$1,000 of assessed valuation levy, and public hospital districts under their first 50 cents per \$1,000 of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

Sec. 6. RCW 84.52.010 and 2023 c 28 s 4 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, 36.62.090, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816, and the portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3), the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of any levy resulting from the correction of a levy error under RCW 84.52.085(3) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a flood control zone district that was protected under RCW 84.52.816 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

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(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, 36.62.090, and any portion of the levy imposed under RCW 84.52.069 that is in excess of 30 cents per \$1,000 of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the 30 cents per \$1,000 of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.816 must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts, and the first 50 cents per \$1,000 of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first 50 cents per \$1,000 of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first 50 cents per \$1,000 of assessed valuation levy, and public hospital districts under their first 50 cents per \$1,000 of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

NEW SECTION. **Sec. 7.** Sections 3 and 5 of this act expire January 1, 2027.

NEW SECTION. **Sec. 8.** Sections 4 and 6 of this act take effect January 1, 2027."

On page 1, line 1 of the title, after "funding;" strike the remainder of the title and insert "amending RCW 36.62.010, 36.62.090, 84.52.043, 84.52.043, 84.52.010, and 84.52.010; providing an effective date; and providing an expiration date."

MOTION

Senator Wilson, L. moved that the following amendment no. 834 by Senator Wilson, L. be adopted:

On page 1, at the beginning of line 25, insert "(1)"

On page 2, after line 3, insert the following:

"(2) Only a county with a population exceeding 2,000,000 may impose the additional regular property tax authorized under this section."

Senators Wilson, L. and Pedersen spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 834 by Senator Wilson, L. on page 1, line 25 to the committee striking amendment.

The motion by Senator Wilson, L. carried and amendment no. 834 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means as amended to Substitute House Bill No. 2348.

The motion by Senator Pedersen carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 2348 as amended by the Senate was

advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.
 Senator Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2348 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2348 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hasegawa, Holy, King, MacEwen, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2348 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2084, by House Committee on Appropriations (originally sponsored by Representatives Fosse, Low, Berry, Leavitt, Simmons, Reed, Ormsby, Street, Bronoske, Ryu, Chapman, Wylie, Doglio, Cortes, Paul, Reeves, and Davis)

Establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Second Substitute House Bill No. 2084 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2084.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2084 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet,

Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 2084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247, by House Committee on Appropriations (originally sponsored by Representatives Bateman, Bronoske, Simmons, Duerr, Callan, Reed, Macri, Doglio, Leavitt, and Davis)

Addressing behavioral health provider shortages.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.19.020 and 2023 c 425 s 13 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means (a) an agency or facility operated, licensed, or certified by the state of Washington; (b) a federally recognized Indian tribe located within the state; ~~((c))~~ (c) a county; or (d) a federally qualified health center.

(2) "Agency affiliated counselor" means a person registered, certified, or licensed under this chapter who is employed by an agency or is a student intern, as defined by the department.

(3) "Certified adviser" means a person certified under this chapter who is engaged in private practice counseling to the extent authorized in RCW 18.19.200.

(4) "Certified agency affiliated counselor" means a person certified under this chapter who is engaging in counseling to the extent authorized in RCW 18.19.215.

(5) "Certified counselor" means a person certified under this chapter who is engaged in private practice counseling to the extent authorized in RCW 18.19.200.

(6) "Client" means an individual who receives or participates in counseling or group counseling.

(7) "Counseling" means employing any therapeutic techniques, including but not limited to social work, mental health counseling, marriage and family therapy, and hypnotherapy, for a fee that offer, assist or attempt to assist an individual or individuals in the amelioration or adjustment of mental, emotional, or behavioral problems, and includes therapeutic techniques to achieve sensitivity and awareness of self and others and the development of human potential. For the purposes of this chapter, nothing may be construed to imply that the practice of hypnotherapy is necessarily limited to counseling.

(8) "Counselor" means an individual, practitioner, therapist, or analyst who engages in the practice of counseling to the public for a fee, including for the purposes of this chapter, hypnotherapists.

(9) "Department" means the department of health.

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(10) "Hypnotherapist" means a person registered under this chapter who is practicing hypnosis as a modality.

(11) "Licensed agency affiliated counselor" means a person licensed under this chapter who is engaged in counseling to the extent authorized in RCW 18.19.215.

(12) "Mental health professional" has the same definition as under RCW 71.05.020.

(13) "Private practice counseling" means the practice of counseling by a certified counselor or certified adviser as specified in RCW 18.19.200.

(14) "Psychotherapy" means the practice of counseling using diagnosis of mental disorders according to the fourth edition of the diagnostic and statistical manual of mental disorders, published in 1994, and the development of treatment plans for counseling based on diagnosis of mental disorders in accordance with established practice standards.

(15) "Registered agency affiliated counselor" means a person registered under this chapter who is engaged in counseling to the extent authorized in RCW 18.19.215. This includes juvenile probation counselors who are employees of the juvenile court under RCW 13.04.035 and 13.04.040 and juvenile court employees providing functional family therapy, aggression replacement training, or other evidence-based programs approved by the department of children, youth, and families. A student intern as defined by the department may be a registered agency affiliated counselor.

(16) "Secretary" means the secretary of the department or the secretary's designee.

Sec. 2. RCW 18.83.020 and 1986 c 27 s 1 are each amended to read as follows:

(1) To safeguard the people of the state of Washington from the dangers of unqualified and improper practice of psychology, it is unlawful for any person to whom this chapter applies to represent himself or herself to be a psychologist or a licensed psychological associate without first obtaining a license as provided in this chapter.

(2) A person represents himself or herself to be a psychologist or a licensed psychological associate when the person adopts or uses any title or any description of services which incorporates one or more of the following terms: "psychology," "psychological," "psychologist," or any term of like import.

(3) A licensed psychological associate shall provide each client or patient, during the first professional contact, with a disclosure form disclosing that the licensed psychological associate is an associate under the supervision of an approved supervisor.

Sec. 3. RCW 18.83.050 and 2004 c 262 s 8 are each amended to read as follows:

(1) The board shall adopt such rules as it deems necessary to carry out its functions.

(2) The board shall examine the qualifications of applicants for licensing under this chapter, to determine which applicants are eligible for licensing under this chapter and shall forward to the secretary the names of applicants so eligible.

(3) The board shall administer examinations to qualified applicants on at least an annual basis. The board shall determine the subject matter and scope of the examination, except as provided in RCW 18.83.170. The board may allow applicants to take the examination upon the granting of their doctoral degree before completion of their internship for supervised experience.

(4) The board shall keep a complete record of its own proceedings, of the questions given in examinations, of the names and qualifications of all applicants, and the names and addresses of all licensed psychologists and licensed psychological associates. The examination paper of such applicant shall be kept on file for a period of at least one year after examination.

(5) The board shall, by rule, adopt a code of ethics for psychologists and licensed psychological associates which is designed to protect the public interest.

(6) The board may require that persons licensed under this chapter as psychologists or licensed psychological associates obtain and maintain professional liability insurance in amounts determined by the board to be practicable and reasonably available.

Sec. 4. RCW 18.83.080 and 1996 c 191 s 66 are each amended to read as follows:

The board shall forward to the secretary the name of each applicant entitled to a license under this chapter. The secretary shall promptly issue to such applicant a license authorizing such applicant to use the title "psychologist"((-)) or "licensed psychological associate." Each licensed psychologist or licensed psychological associate shall keep his or her license displayed in a conspicuous place in his or her principal place of business.

Sec. 5. RCW 18.83.105 and 1996 c 191 s 69 are each amended to read as follows:

~~(1) The board ((may issue certificates of qualification with appropriate title to applicants who meet all the licensing requirements except the possession of the degree of Doctor of Philosophy or its equivalent in psychology from an accredited educational institution. These certificates of qualification certify that the holder has been examined by the board and is deemed competent to perform certain functions within the practice of psychology under the periodic direct supervision of a psychologist licensed by the board. Such functions will be specified on the certificate issued by the board. Such applicant shall comply with administrative procedures, administrative requirements, and fees determined under RCW 43.70.250 and 43.70.280. Upon petition by a holder the board of examiners may grant authority to function without immediate supervision.)) shall issue a licensed psychological associate license to an applicant who:~~

~~(a) Is:~~

~~(i) Currently enrolled in a doctor of philosophy, doctor of psychology program, or its equivalent in psychology at an accredited educational institution; or~~

~~(ii) Participating in a postdoctoral residency, postdoctoral fellowship, or another supervised postdoctoral experience;~~

~~(b) Has been deemed competent by the director of clinical training or postdoctoral supervisor to practice psychology under the supervision of a licensed supervisor subject to rules adopted by the board; and~~

~~(c) Has complied with administrative procedures, administrative requirements, and fees determined under RCW 43.70.250 and 43.70.280.~~

~~(2)(a) A holder of a licensed psychological associate license may only practice under the supervision of a licensed supervisor pursuant to rules adopted by the board.~~

~~(b) An applicant for a licensed psychological associate license under this section may practice without a license under the direct supervision of a licensed supervisor for 120 days after the department receives the applicant's completed application or the applicant's license is issued or denied, whichever is sooner.~~

Sec. 6. RCW 18.83.110 and 2020 c 302 s 116 are each amended to read as follows:

Confidential communications between a client and a psychologist or licensed psychological associate shall be privileged against compulsory disclosure to the same extent and subject to the same conditions as confidential communications between attorney and client, but this exception is subject to the limitations under RCW 71.05.217 (6) and (7).

Sec. 7. RCW 18.83.115 and 1986 c 27 s 9 are each amended to read as follows:

(1) Psychologists and licensed psychological associates licensed under this chapter shall provide clients at the commencement of any program of treatment with accurate disclosure information concerning their practice, in accordance with guidelines developed by the board, which will inform clients of the purposes of and resources available under this chapter, including the right of clients to refuse treatment, the responsibility of clients for choosing the provider and treatment modality which best suits their needs, and the extent of confidentiality provided by this chapter. The disclosure information provided by the psychologist or licensed psychological associate, the receipt of which shall be acknowledged in writing by the psychologist or licensed psychological associate and client, shall include any relevant education and training, the therapeutic orientation of the practice, the proposed course of treatment where known, any financial requirements, and such other information as the board may require by rule.

(2) In inpatient settings, the health facility shall provide clients with the disclosure statement at the commencement of any program of treatment, and shall post the statement in a conspicuous location accessible to the client.

(3) The board shall provide for modification of the guidelines as appropriate in cases where the client has been referred by the court, a state agency, or other governmental body to a particular provider for specified evaluation or treatment.

Sec. 8. RCW 18.83.135 and 2000 c 93 s 7 are each amended to read as follows:

In addition to the authority prescribed under RCW 18.130.050, the board shall have the following authority:

(1) To maintain records of all activities, and to publish and distribute to all psychologists and licensed psychological associates at least once each year abstracts of significant activities of the board;

(2) To obtain the written consent of the complaining client or patient or their legal representative, or of any person who may be affected by the complaint, in order to obtain information which otherwise might be confidential or privileged; and

(3) To apply the provisions of the uniform disciplinary act, chapter 18.130 RCW, to all persons licensed as psychologists or licensed psychological associates under this chapter.

Sec. 9. RCW 18.83.170 and 2023 c 425 s 1 are each amended to read as follows:

(1)(a) Upon compliance with administrative procedures, administrative requirements, and fees determined under RCW 43.70.250 and 43.70.280, the board may grant a license, without oral examination, to any applicant who has not previously did not carry any examination held by the board of psychology of the state of Washington and furnishes evidence satisfactory to the board that the applicant:

((a)) (i) Holds a doctoral degree with primary emphasis on psychology from an accredited college or university; and

((b)(i)) (ii)(A) Is licensed or certified to practice psychology in another state or country in which the requirements for such licensing or certification are, in the judgment of the board, essentially equivalent to those required by this chapter and the rules and regulations of the board. Such individuals must have been licensed or certified in another state for a period of at least two years; or

((c)) (B) Is a diplomate in good standing of the American Board of Examiners in Professional Psychology; or

((d)) (C) Is a member of a professional organization and holds a certificate deemed by the board to meet standards equivalent to this chapter.

(b) The board may adopt rules waiving any of the requirements of this subsection (1) for an applicant who has continuously held a license to practice psychology in good standing in another state, territory, or country for a period of time that, in the judgment of the board, renders the waived requirements duplicative or unnecessary.

(2)(a)(i) The department shall establish a reciprocity program for applicants for licensure as a psychologist in Washington.

(ii) The reciprocity program applies to applicants for a license as a psychologist who:

(A) Hold or have held within the past twelve months a credential in good standing from another state or territory of the United States which has a scope of practice that is substantially equivalent to or greater than the scope of practice for licensed psychologists as established under this chapter; and

(B) Have no disciplinary record or disqualifying criminal history.

(b) The department shall issue a probationary license to an applicant who meets the requirements of (a)(ii)(B) of this subsection. The department must determine what deficiencies, if any, exist between the education and experience requirements of the other state's credential and, after consideration of the experience and capabilities of the applicant, determine whether it is appropriate to require the applicant to complete additional education or experience requirements to maintain the probationary license and, within a reasonable time period, transition to a full license. The department may place a reasonable time limit on a probationary license and may, if appropriate, require the applicant to pass a jurisprudential examination.

(c) The department must maintain and publish a list of credentials in other states and territories that the department has determined to have a scope of practice that is substantially equivalent to or greater than the scope of practice for licensed psychologists as established under this chapter. The department shall prioritize identifying and publishing the department's determination for the five states or territories that have historically had the most applicants for reciprocity under subsection (1) of this section with a scope of practice that is substantially equivalent to or greater than the scope of practice for licensed psychologists as established under this chapter.

Sec. 10. RCW 18.83.180 and 1987 c 150 s 55 are each amended to read as follows:

It shall be a gross misdemeanor and unlicensed practice for any person to:

(1) Use in connection with his or her name any designation tending to imply that he or she is a licensed psychologist or licensed psychological associate unless duly licensed under or specifically excluded from the provisions of this chapter;

(2) Practice as a licensed psychologist or licensed psychological associate during the time his or her license issued under the provisions of this chapter is suspended or revoked.

Sec. 11. RCW 18.83.190 and 1991 c 3 s 203 are each amended to read as follows:

If any person represents himself or herself to be a psychologist or licensed psychological associate, unless the person is exempt from the provisions of this chapter, without possessing a valid license, certificated qualification, or a temporary permit to do so, or if he or she violates any of the provisions of this chapter, any prosecuting attorney, the secretary, or any citizen of the same county may maintain an action in the name of the state to enjoin such person from representing himself or herself as a psychologist or licensed psychological associate. The injunction shall not relieve the person from criminal prosecution, but the remedy by injunction shall be in addition to the liability of such offender to

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criminal prosecution and to suspension or revocation of his or her license.

Sec. 12. RCW 18.83.210 and 1965 c 70 s 25 are each amended to read as follows:

Nothing in this chapter shall be construed as prohibiting any individual from offering counseling or guidance provided that such individuals do not hold themselves forth as psychologists or licensed psychological associates.

Sec. 13. RCW 18.205.095 and 2021 c 165 s 1 and 2021 c 57 s 1 are each reenacted and amended to read as follows:

(1) The secretary shall issue a trainee certificate to any applicant who demonstrates to the satisfaction of the secretary that he or she is working toward the education and experience requirements in RCW 18.205.090.

(2) A trainee certified under this section shall submit to the secretary for approval a declaration, in accordance with rules adopted by the department, which shall be updated with the trainee's annual renewal, that he or she is actively pursuing the experience requirements under RCW 18.205.090 and is enrolled in:

(a) An approved education program; or

(b) An apprenticeship program reviewed by the substance use disorder certification advisory committee, approved by the secretary, and registered and approved under chapter 49.04 RCW.

(3) A trainee certified under this section may practice only under the supervision of a certified substance use disorder professional. The first 50 hours of any face-to-face client contact must be under direct observation. All remaining experience must be under supervision in accordance with rules adopted by the department.

(4) A certified substance use disorder professional trainee provides substance use disorder assessments, counseling, and case management (~~(with a state regulated agency)~~) and can provide clinical services to patients consistent with his or her education, training, and experience as approved by his or her supervisor.

(5) ~~(A trainee certification may only be renewed four times, unless the secretary finds that a waiver to allow additional renewals is justified due to barriers to testing or training resulting from a governor declared emergency.)~~ A person whose trainee certification was not renewed due to the person exceeding the four-renewal limit in place prior to the effective date of this section shall be treated as if the person's certification expired. The secretary shall allow such a person to return the person's trainee certification to active status pursuant to standard rules and procedures in place for returning an expired credential to active status.

(6) Applicants are subject to denial of a certificate or issuance of a conditional certificate for the reasons set forth in chapter 18.130 RCW.

(7) A person certified under this chapter holding the title of chemical dependency professional trainee is considered to hold the title of substance use disorder professional trainee until such time as the person's present certification expires or is renewed.

Sec. 14. RCW 18.225.090 and 2023 c 425 s 3 and 2023 c 58 s 16 are each reenacted and amended to read as follows:

(1) The secretary shall issue a license to any applicant who demonstrates to the satisfaction of the secretary that the applicant meets the following education and experience requirements for the applicant's practice area.

(a) Licensed social work classifications:

(i) Licensed advanced social worker:

(A) Graduation from a master's social work educational program accredited by the council on social work education or a social work doctorate program at a university accredited by a

recognized accrediting organization, and approved by the secretary based upon nationally recognized standards;

(B) Successful completion of an approved examination;

(C) Successful completion of a supervised experience requirement. The supervised experience requirement consists of a minimum of 3,200 hours with supervision by an approved supervisor who has been licensed for at least two years. Of those supervised hours:

(I) At least 90 hours must include direct supervision as specified in this subsection by a licensed independent clinical social worker, a licensed advanced social worker, or an equally qualified licensed mental health professional. Of those hours of directly supervised experience at least 40 hours must be in one-to-one supervision and 50 hours may be in one-to-one supervision or group supervision; and

(II) 800 hours must be in direct client contact; and

(D) Successful completion of continuing education requirements ~~((of 36 hours, with six))~~ established in rule by the secretary in consultation with the committee, including a minimum number of hours in professional ethics.

(ii) Licensed independent clinical social worker:

(A) Graduation from a master's level social work educational program accredited by the council on social work education or a social work doctorate program at a university accredited by a recognized accrediting organization, and approved by the secretary based upon nationally recognized standards;

(B) Successful completion of an approved examination;

(C) Successful completion of a supervised experience requirement. The supervised experience requirement consists of a minimum of 3,000 hours of experience, over a period of not less than two years, with supervision by an approved supervisor who has been licensed for at least two years and, as specified in this subsection, may be either a licensed independent clinical social worker who has had at least one year of experience in supervising the clinical social work of others or an equally qualified licensed mental health practitioner. Of those supervised hours:

(I) At least 1,000 hours must be direct client contact; and

(II) Hours of direct supervision must include:

(1) At least 100 hours by a licensed mental health practitioner;

(2) At least 70 hours of supervision with a licensed independent clinical social worker meeting the qualifications under this subsection (1)(a)(ii)(C); the remaining hours may be supervised by an equally qualified licensed mental health practitioner; and

(3) At least 60 hours must be in one-to-one supervision and the remaining hours may be in one-to-one supervision or group supervision; and

(D) Successful completion of continuing education requirements ~~((of 36 hours, with six))~~ established in rule by the secretary in consultation with the committee, including a minimum number of hours in professional ethics.

(b) Licensed mental health counselor:

(i)(A) Graduation from a master's or doctoral level educational program in counseling that consists of at least 60 semester hours or 90 quarter hours, or includes at least 60 semester hours or 90 quarter hours of graduate coursework that includes the following topic areas:

(I) Mental health counseling orientation and ethical practice;

(II) Social and cultural diversity;

(III) Human growth and development;

(IV) Career development;

(V) Counseling and helping relationships;

(VI) Group counseling and group work;

(VII) Diagnosis and treatment;

(VIII) Assessment and testing; and

(IX) Research and program evaluation; or

(B) Graduation from a master's or doctoral level educational program in a related discipline from a college or university approved by the secretary based upon nationally recognized standards. An applicant who satisfies the educational requirements for licensure under this subsection (1)(b)(i)(B) is not qualified to exercise the privilege to practice under the counseling compact established in chapter 18.17 RCW unless the master's or doctoral level educational program in a related discipline consists of at least 60 semester hours or 90 quarter hours, or includes at least 60 semester hours or 90 quarter hours of graduate coursework that includes the topic areas specified in ~~(subsection (4))~~ ~~(b)(i)(A)(I) through (IX) of this (section (b)(i)(A)(I) through (IX) of this subsection))~~ subsection:

- (ii) Successful completion of an approved examination;
- (iii) Successful completion of a supervised experience requirement. The experience requirement consists of a minimum of 36 months full-time counseling or 3,000 hours of postgraduate mental health counseling under the supervision of a qualified licensed mental health counselor or equally qualified licensed mental health practitioner, in an approved setting. The 3,000 hours of required experience includes a minimum of 100 hours spent in immediate supervision with the qualified licensed mental health counselor, and includes a minimum of 1,200 hours of direct counseling with individuals, couples, families, or groups; and
- (iv) Successful completion of continuing education requirements ~~((of 36 hours, with six))~~ established in rule by the secretary in consultation with the committee, including a minimum number of hours in professional ethics.

(c) Licensed marriage and family therapist:

(i) Graduation from a master's degree or doctoral degree educational program in marriage and family therapy or graduation from an educational program in an allied field equivalent to a master's degree or doctoral degree in marriage and family therapy approved by the secretary based upon nationally recognized standards;

(ii) Successful passage of an approved examination;

(iii) Successful completion of a supervised experience requirement. The experience requirement consists of a minimum of 3,000 hours of marriage and family therapy. Of the total supervision, 100 hours must be with a licensed marriage and family therapist with at least ~~((five))~~ two years' clinical experience; the other 100 hours may be with an equally qualified licensed mental health practitioner. Total experience requirements include:

(A) 1,000 hours of direct client contact; at least 500 hours must be gained in diagnosing and treating couples and families; plus

(B) At least 200 hours of qualified supervision with a supervisor. At least 100 of the 200 hours must be one-on-one supervision, and the remaining hours may be in one-on-one or group supervision.

Applicants who have completed a master's program accredited by the commission on accreditation for marriage and family therapy education of the American association for marriage and family therapy may be credited with 500 hours of direct client contact and 100 hours of formal meetings with an approved supervisor; and

(iv) Successful completion of continuing education requirements ~~((of 36 hours, with six))~~ established in rule by the secretary in consultation with the committee, including a minimum number of hours in professional ethics.

(2) The department shall establish by rule what constitutes adequate proof of meeting the criteria. Only rules in effect on the date of submission of a completed application of an associate for her or his license shall apply. If the rules change after a completed

application is submitted but before a license is issued, the new rules shall not be reason to deny the application.

(3) In addition, applicants shall be subject to the grounds for denial of a license or issuance of a conditional license under chapter 18.130 RCW.

Sec. 15. RCW 18.225.145 and 2021 c 57 s 2 are each amended to read as follows:

(1) The secretary shall issue an associate license to any applicant who demonstrates to the satisfaction of the secretary that the applicant meets the following requirements for the applicant's practice area and submits a declaration that the applicant is working toward full licensure in that category:

(a) Licensed social worker associate—advanced or licensed social worker associate—independent clinical: Graduation from a master's degree or doctoral degree educational program in social work accredited by the council on social work education and approved by the secretary based upon nationally recognized standards.

(b) Licensed mental health counselor associate: Graduation from a master's degree or doctoral degree educational program in mental health counseling or a related discipline from a college or university approved by the secretary based upon nationally recognized standards.

(c) Licensed marriage and family therapist associate: Graduation from a master's degree or doctoral degree educational program in marriage and family therapy or graduation from an educational program in an allied field equivalent to a master's degree or doctoral degree in marriage and family therapy approved by the secretary based upon nationally recognized standards.

(2) Associates may not provide independent social work, mental health counseling, or marriage and family therapy for a fee, monetary or otherwise. Associates must work under the supervision of an approved supervisor. Beginning October 1, 2025, an applicant for an associate license under this section may practice without a license under the direct supervision of an approved supervisor for 120 days after the department receives the applicant's completed application or the applicant's license is issued or denied, whichever is sooner.

(3) Associates shall provide each client or patient, during the first professional contact, with a disclosure form according to RCW 18.225.100, disclosing that he or she is an associate under the supervision of an approved supervisor.

(4) The department shall adopt by rule what constitutes adequate proof of compliance with the requirements of this section.

(5) Applicants are subject to the denial of a license or issuance of a conditional license for the reasons set forth in chapter 18.130 RCW.

(6)(a) ~~((Except as provided in (b) of this subsection, an))~~ An associate license may be renewed ~~((no more than six times, provided that)).~~ Until October 1, 2025, the applicant for renewal ((has)) must have successfully completed eighteen hours of continuing education in the preceding year. After October 1, 2025, the applicant for renewal must have successfully completed, in the preceding year, continuing education requirements established in rule by the secretary in consultation with the committee. Beginning with the second renewal, ~~((at least six of))~~ the continuing education requirements established in rule by the secretary in consultation with the committee must require the applicant to complete a minimum number of continuing education hours in the preceding two years ~~((must be))~~ in professional ethics.

(b) ~~((If the secretary finds that a waiver to allow additional renewals is justified due to barriers to testing or training resulting~~

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~~from a governor declared emergency, additional renewals may be approved.)~~ A person whose associate license was not renewed due to the person exceeding the six-renewal limit in place prior to the effective date of this section shall be treated as if the person's license expired. The secretary shall allow such a person to return the person's associate license to active status pursuant to standard rules and procedures in place for returning an expired credential to active status.

Sec. 16. RCW 18.225.180 and 2023 c 425 s 7 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, by October 1, 2023, the department shall develop a program to facilitate placement of associates with clinical supervision services. The program must include a database of license holders with the required qualifications who are willing to serve as approved supervisors and agencies or facilities that offer supervision services through their facilities to associates seeking to satisfy supervised experience requirements under RCW 18.225.090.

(b) The department shall adopt, by rule, minimum qualifications for supervisors or facilities to be included in the database and minimum standards for adequate supervision of associates. The department may not include in the database any person who, or facility that, does not meet the minimum qualifications. The department shall periodically audit the list to remove persons who, or facilities that, no longer meet the minimum qualifications or fail to meet the minimum standards.

(2) Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a stipend program to ~~((defray the out of pocket expenses incurred by))~~ offset the costs incurred when providing supervision for associates completing supervised experience requirements under RCW 18.225.090.

~~(a) ((Out of pocket expenses eligible for defrayment under this section include costs incurred in order to obtain supervised experience, such as fees or charges imposed by the individual or entity providing supervision, and any other expenses deemed appropriate by the department.))~~ To be eligible for the stipend program under this subsection (2), a supervisor must:

(i) Meet all requirements of a qualified supervisor in this chapter and chapter 246-809 WAC; and

(ii) Be actively providing supervision to at least one associate completing supervised experience requirements under RCW 18.225.090.

~~(b) ((Associates))~~ Supervisors participating in the stipend program established in this section shall document their ~~((out of pocket))~~ incurred expenses attributable to each supervised associate and time spent supervising each associate under their supervision in a manner specified by the department.

~~(c) ((When adopting the stipend program, the department shall consider defraying out of pocket expenses associated with unpaid internships that are part of an applicant's educational program.))~~ (i) Supervisors receiving a stipend under this section are eligible for up to \$2,000 per year per associate if the supervisor maintains the supervisory relationship for the entire year and subject to the availability of funds. If the supervisor does not provide supervision for an entire year, the department shall prorate the stipend amount accordingly.

(ii) If a participating supervisor's documented expenses attributable to a supervised associate exceed the stipend the supervisor receives under (c)(i) of this subsection for supervising that associate, the participating supervisor may charge the associate a fee to recoup the excess expenses attributable to that associate. In no case may a fee charged to an individual associate under this subsection (2)(c)(ii) exceed \$1,600 per year. The

supervisor shall report any fees charged to the associate to the department.

(d) The department shall establish the stipend program no later than July 1, ~~((2024))~~ 2025.

~~((=))~~ (3) The department may adopt any rules necessary to implement this section.

Sec. 17. RCW 71.05.020 and 2023 c 433 s 3 and 2023 c 425 s 20 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "23-hour crisis relief center" has the same meaning as under RCW 71.24.025;

(2) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(4) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(6) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(7) "Authority" means the Washington state health care authority;

(8) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder;

(9) "Behavioral health service provider" means a public or private agency that provides mental health, substance use disorder, or co-occurring disorder services to persons with behavioral health disorders as defined under this section and receives funding from public sources. This includes, but is not limited to: Hospitals licensed under chapter 70.41 RCW; evaluation and treatment facilities as defined in this section; community mental health service delivery systems or community behavioral health programs as defined in RCW 71.24.025; licensed or certified behavioral health agencies under RCW 71.24.037; facilities conducting competency evaluations and restoration under chapter 10.77 RCW; approved substance use disorder treatment programs as defined in this section; secure withdrawal management and stabilization facilities as defined in this section; and correctional facilities operated by state and local governments;

(10) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105;

(11) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(12) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025;

(13) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(14) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization, or to determine the need for involuntary commitment of an individual;

(15) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(16) "Department" means the department of health;

(17) "Designated crisis responder" means a mental health professional appointed by the county, by an entity appointed by the county, or by the authority in consultation with a federally recognized Indian tribe or after meeting and conferring with an Indian health care provider, to perform the duties specified in this chapter;

(18) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(19) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department of social and health services;

(20) "Developmental disability" means that condition defined in RCW 71A.10.020(6);

(21) "Director" means the director of the authority;

(22) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(23) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(24) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is licensed or certified as such by the department. The authority may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(25) "Gravely disabled" means a condition in which a person, as a result of a behavioral health disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests

severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(26) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(27) "Hearing" means any proceeding conducted in open court that conforms to the requirements of RCW 71.05.820;

(28) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a behavioral health facility, or in confinement as a result of a criminal conviction;

(29) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(30) "In need of assisted outpatient treatment" refers to a person who meets the criteria for assisted outpatient treatment established under RCW 71.05.148;

(31) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(32) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

(33) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(34) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130;

(35) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585. This term includes: Treatment pursuant to a less restrictive alternative treatment order under RCW 71.05.240 or 71.05.320; treatment pursuant to a conditional release under RCW 71.05.340; and treatment pursuant to an assisted outpatient treatment order under RCW 71.05.148;

(36) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

(37) "Likelihood of serious harm" means:

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(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(38) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder;

(39) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(40) "Mental health professional" means an individual practicing within the mental health professional's statutory scope of practice who is:

(a) A psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, as defined in this chapter and chapter 71.34 RCW;

(b) A mental health counselor, mental health counselor associate, marriage and family therapist, or marriage and family therapist associate, as defined in chapter 18.225 RCW; ((~~or~~))

(c) A certified or licensed agency affiliated counselor, as defined in chapter 18.19 RCW; or

(d) A licensed psychological associate as described in chapter 18.83 RCW;

(41) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(42) "Physician assistant" means a person licensed as a physician assistant under chapter 18.71A RCW;

(43) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders;

(44) "Professional person" means a mental health professional, substance use disorder professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(45) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(46) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(47) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(48) "Public agency" means any evaluation and treatment facility or institution, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(49) "Release" means legal termination of the commitment under the provisions of this chapter;

(50) "Resource management services" has the meaning given in chapter 71.24 RCW;

(51) "Secretary" means the secretary of the department of health, or his or her designee;

(52) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health;

(53) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(54) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(55) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW;

(56) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(57) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for behavioral health disorders, which are maintained by the department of social and health services, the department, the authority, behavioral health administrative services organizations and their staffs, managed care organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not

include notes or records maintained for personal use by a person providing treatment services for the department of social and health services, the department, the authority, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others;

(58) "Video," unless the context clearly indicates otherwise, means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology. "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment;

(59) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

Sec. 18. RCW 71.05.020 and 2023 c 433 s 4 and 2023 c 425 s 21 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "23-hour crisis relief center" has the same meaning as under RCW 71.24.025;

(2) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(3) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(4) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(5) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(6) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(7) "Authority" means the Washington state health care authority;

(8) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder;

(9) "Behavioral health service provider" means a public or private agency that provides mental health, substance use disorder, or co-occurring disorder services to persons with behavioral health disorders as defined under this section and receives funding from public sources. This includes, but is not limited to: Hospitals licensed under chapter 70.41 RCW; evaluation and treatment facilities as defined in this section; community mental health service delivery systems or community behavioral health programs as defined in RCW 71.24.025; licensed or certified behavioral health agencies under RCW 71.24.037; facilities conducting competency evaluations and restoration under chapter 10.77 RCW; approved substance use

disorder treatment programs as defined in this section; secure withdrawal management and stabilization facilities as defined in this section; and correctional facilities operated by state and local governments;

(10) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105;

(11) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(12) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025;

(13) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(14) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization, or to determine the need for involuntary commitment of an individual;

(15) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

(16) "Department" means the department of health;

(17) "Designated crisis responder" means a mental health professional appointed by the county, by an entity appointed by the county, or by the authority in consultation with a federally recognized Indian tribe or after meeting and conferring with an Indian health care provider, to perform the duties specified in this chapter;

(18) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(19) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary of the department of social and health services;

(20) "Developmental disability" means that condition defined in RCW 71A.10.020(6);

(21) "Director" means the director of the authority;

(22) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(23) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(24) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is licensed or certified as such by the department. The authority may certify

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single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(25) "Gravely disabled" means a condition in which a person, as a result of a behavioral health disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration from safe behavior evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(26) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(27) "Hearing" means any proceeding conducted in open court that conforms to the requirements of RCW 71.05.820;

(28) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a behavioral health facility, or in confinement as a result of a criminal conviction;

(29) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(30) "In need of assisted outpatient treatment" refers to a person who meets the criteria for assisted outpatient treatment established under RCW 71.05.148;

(31) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(32) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

(33) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(34) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public behavioral health service providers under RCW 71.05.130;

(35) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585. This term includes: Treatment pursuant to a less restrictive alternative treatment order under RCW 71.05.240 or 71.05.320; treatment pursuant to a conditional release under RCW 71.05.340; and treatment pursuant to an assisted outpatient treatment order under RCW 71.05.148;

(36) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

(37) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as evidenced by behavior which has caused harm, substantial pain, or which places another person or persons in reasonable fear of harm to themselves or others; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(38) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated crisis responder;

(39) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(40) "Mental health professional" means an individual practicing within the mental health professional's statutory scope of practice who is:

(a) A psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, as defined in this chapter and chapter 71.34 RCW;

(b) A mental health counselor, mental health counselor associate, marriage and family therapist, or marriage and family therapist associate, as defined in chapter 18.225 RCW; ((~~or~~))

(c) A certified or licensed agency affiliated counselor, as defined in chapter 18.19 RCW; or

(d) A licensed psychological associate as described in chapter 18.83 RCW;

(41) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(42) "Physician assistant" means a person licensed as a physician assistant under chapter 18.71A RCW;

(43) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders;

(44) "Professional person" means a mental health professional, substance use disorder professional, or designated crisis responder and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(45) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(46) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(47) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(48) "Public agency" means any evaluation and treatment facility or institution, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with behavioral health disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

(49) "Release" means legal termination of the commitment under the provisions of this chapter;

(50) "Resource management services" has the meaning given in chapter 71.24 RCW;

(51) "Secretary" means the secretary of the department of health, or his or her designee;

(52) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health;

(53) "Severe deterioration from safe behavior" means that a person will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with significant impairment of judgment, reason, or behavior;

(54) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(55) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

(56) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW;

(57) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(58) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for behavioral health disorders, which are maintained by the department of social and health services, the department, the authority, behavioral health administrative services organizations and their staffs, managed care organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department of social and health services, the department, the authority, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others;

(59) "Video," unless the context clearly indicates otherwise, means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology. "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment;

(60) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

NEW SECTION. Sec. 19. The health care authority shall ensure that all services provided by associate licenses under chapters 18.225 and 18.83 RCW are included in the state medicaid program, including filing any necessary state plan amendments by January 1, 2025.

NEW SECTION. Sec. 20. The examining board of psychology may adopt any rules necessary to implement sections 2 through 12 of this act. The secretary of health may adopt any rules necessary to implement sections 1 and 13 through 16 of this act.

NEW SECTION. Sec. 21. (1) The secretary of health shall study and make recommendations on changing the disciplining authority for professions regulated under chapter 18.225 RCW from the secretary of health to separate boards or commissions for each profession.

(2) The secretary of health's findings and recommendations must, at a minimum, include the following:

(a) Whether the disciplining authority for each profession should be a board or a commission;

(b) The recommended membership of each board or commission, which must include:

(i) A majority of members who are members of the regulated professions; and

(ii) At least one public member;

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(c) An estimate of the fiscal impact of changing the disciplining authority for the professions; and

(d) A transition plan for changing the disciplining authorities, including recommended statutory changes.

(3) When formulating the findings and recommendations, the secretary of health must consult with organizations representing the professions regulated under chapter 18.225 RCW.

(4) The secretary of health shall report the findings and recommendations to the appropriate committees of the legislature no later than July 1, 2025.

(5) This section expires August 1, 2025.

NEW SECTION. Sec. 22. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 23. (1) Section 1 of this act takes effect January 1, 2028.

(2) Sections 2 through 12, 14, and 16 of this act take effect October 1, 2025.

NEW SECTION. Sec. 24. Section 17 of this act expires when section 18 of this act takes effect.

NEW SECTION. Sec. 25. Section 18 of this act takes effect when the contingency in section 26, chapter 433, Laws of 2023 takes effect."

On page 1, line 2 of the title, after "shortages;" strike the remainder of the title and insert "amending RCW 18.19.020, 18.83.020, 18.83.050, 18.83.080, 18.83.105, 18.83.110, 18.83.115, 18.83.135, 18.83.170, 18.83.180, 18.83.190, 18.83.210, 18.225.145, and 18.225.180; reenacting and amending RCW 18.205.095, 18.225.090, 71.05.020, and 71.05.020; creating new sections; providing effective dates; providing a contingent effective date; providing an expiration date; and providing a contingent expiration date."

Senators Cleveland and Rivers spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long Term Care to Engrossed Second Substitute House Bill No. 2247.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Second Substitute House Bill No. 2247 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2247 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2247 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet,

Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- HOUSE BILL NO. 1153,
- HOUSE BILL NO. 1726,
- HOUSE BILL NO. 1876,
- HOUSE BILL NO. 1879,
- SUBSTITUTE HOUSE BILL NO. 1880,
- SUBSTITUTE HOUSE BILL NO. 1889,
- HOUSE BILL NO. 1890,
- HOUSE BILL NO. 1898,
- SUBSTITUTE HOUSE BILL NO. 1947,
- HOUSE BILL NO. 1948,
- HOUSE BILL NO. 1955,
- HOUSE BILL NO. 1962,
- SUBSTITUTE HOUSE BILL NO. 1974,
- HOUSE BILL NO. 1978,
- HOUSE BILL NO. 1987,
- SUBSTITUTE HOUSE BILL NO. 2015,
- HOUSE BILL NO. 2034,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2041,
- SUBSTITUTE HOUSE BILL NO. 2075,
- SUBSTITUTE HOUSE BILL NO. 2086,
- ENGROSSED HOUSE BILL NO. 2088,
- SECOND SUBSTITUTE HOUSE BILL NO. 2151,
- SUBSTITUTE HOUSE BILL NO. 2156,
- SUBSTITUTE HOUSE BILL NO. 2165,
- SUBSTITUTE HOUSE BILL NO. 2216,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2256,
- SUBSTITUTE HOUSE BILL NO. 2329,
- SUBSTITUTE HOUSE BILL NO. 2355,
- SUBSTITUTE HOUSE BILL NO. 2368,
- and HOUSE BILL NO. 2433.

MOTION

On motion of Senator Pedersen, Rule 15 was suspended for the remainder of the day for the purposes of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION

At 6:02 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 7 o'clock p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

HOUSE BILL NO. 1946, by Representatives Eslick, Leavitt, Ryu, Slatter, Duerr, Ramos, Senn, Reed, Graham, Callan, Timmons, Macri, Paul, Harris, Lekanoff, Riccelli, Pollet, and Davis

Creating the Washington health corps behavioral health scholarship program.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, House Bill No. 1946 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1946.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1946 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1946, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384, by House Committee on Transportation (originally sponsored by Representatives Donaghy, Fitzgibbon, Walen, and Pollet)

Concerning automated traffic safety cameras.

The measure was read the second time.

MOTION

Senator Liias moved that the following committee striking amendment by the Committee on Transportation be not adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 46.63 RCW to read as follows:

The definitions in this section apply throughout this section and sections 2 through 6 of this act unless the context clearly requires otherwise.

(1) "Automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing

control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the front or rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit as detected by a speed measuring device. "Automated traffic safety camera" also includes a device used to detect stopping at intersection or crosswalk violations; stopping when traffic obstructed violations; public transportation only lane violations; stopping or traveling in restricted lane violations; and public transportation bus stop zone violations detected from a public transportation vehicle-mounted system.

(2) "Hospital speed zone" means the marked area within hospital property and extending 300 feet from the border of the hospital property (a) consistent with hospital use; and (b) where signs are posted to indicate the location is within a hospital speed zone, where "hospital" has the same meaning as in RCW 70.41.020.

(3) "Public park speed zone" means the marked area within public park property and extending 300 feet from the border of the public park property (a) consistent with active park use; and (b) where signs are posted to indicate the location is within a public park speed zone.

(4) "Public transportation vehicle" means any motor vehicle, streetcar, train, trolley vehicle, ferry boat, or any other device, vessel, or vehicle that is owned or operated by a transit authority or an entity providing service on behalf of a transit authority that is used for the purpose of carrying passengers and that operates on established routes. "Transit authority" has the same meaning as provided in RCW 9.91.025.

(5) "Roadway work zone" means an area of any city roadway, including state highways that are also classified as city streets under chapter 47.24 RCW, or county road as defined in RCW 46.04.150, with construction, maintenance, or utility work with a duration of 30 calendar days or more. A roadway work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing devices, barriers, pavement markings, and/or work vehicles with warning lights. A roadway work zone extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the last temporary traffic control device or vehicle.

(6) "School speed zone" has the same meaning as described in RCW 46.61.440 (1) and (2).

(7) "School walk zone" means a roadway identified under RCW 28A.160.160 or roadways within a one-mile radius of a school that students use to travel to school by foot, bicycle, or other means of active transportation.

NEW SECTION. Sec. 2. A new section is added to chapter 46.63 RCW to read as follows:

(1) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(2) Any city or county may authorize the use of automated traffic safety cameras and must adopt an ordinance authorizing such use through its local legislative authority.

(3) The local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located before adding traffic safety cameras to a new location or relocating any existing camera to a new location within the jurisdiction. The analysis must include equity considerations including the impact of the camera placement on livability, accessibility, economics, education, and

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environmental health when identifying where to locate an automated traffic safety camera. The analysis must also show a demonstrated need for traffic cameras based on one or more of the following in the vicinity of the proposed camera location: Travel by vulnerable road users, evidence of vehicles speeding, rates of collision, reports showing near collisions, and anticipated or actual ineffectiveness or infeasibility of other mitigation measures.

(4) Automated traffic safety cameras may not be used on an on-ramp to a limited access facility as defined in RCW 47.52.010.

(5) A city may use automated traffic safety cameras to enforce traffic ordinances in this section on state highways that are also classified as city streets under chapter 47.24 RCW. A city government must notify the department of transportation when it installs an automated traffic safety camera to enforce traffic ordinances as authorized in this subsection.

(6)(a) At a minimum, a local ordinance adopted pursuant to this section must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties must also post such restrictions and other automated traffic safety camera policies on the city's or county's website. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to adopt an authorizing ordinance.

(b)(i) Cities and counties using automated traffic safety cameras must post an annual report on the city's or county's website of the number of traffic crashes that occurred at each location where an automated traffic safety camera is located, as well as the number of notices of infraction issued for each camera. Beginning July 1, 2026, the annual report must include the percentage of revenues received from fines issued from automated traffic safety camera infractions that were used to pay for the costs of the automated traffic safety camera program and must describe the uses of revenues that exceeded the costs of operation and administration of the automated traffic safety camera program by the city or county.

(ii) The Washington traffic safety commission must provide an annual report to the transportation committees of the legislature, and post the report to its website for public access, beginning July 1, 2026, that includes aggregated information on the use of automated traffic safety cameras in the state that includes an assessment of the impact of their use, information required in city and county annual reports under (b)(i) of this subsection, and information on the number of automated traffic safety cameras in use by type and location, with an analysis of camera placement in the context of area demographics and household incomes. Cities and counties using automated traffic safety cameras must provide the commission with the data it requests for the report required under this subsection in a form and manner specified by the commission.

(7) All locations where an automated traffic safety camera is used on roadways or intersections must be clearly marked by placing signs at least 30 days prior to activation of the camera in locations that clearly indicate to a driver either that: (a) The driver is within an area where automated traffic safety cameras are authorized; or (b) the driver is entering an area where violations are enforced by an automated traffic safety camera. The signs must be readily visible to a driver approaching an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW. All public transportation vehicles utilizing a vehicle-mounted system must post a sign on the rear of the vehicle indicating to drivers

that the vehicle is equipped with an automated traffic safety camera to enforce bus stop zone violations.

(8) Automated traffic safety cameras may only record images of the vehicle and vehicle license plate and only while an infraction is occurring. The image must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to record images of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties must consider installing automated traffic safety cameras in a manner that minimizes the impact of camera flash on drivers.

(9) A notice of infraction must be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address under subsection (17) of this section. The notice of infraction must include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(10) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (17) of this section. If appropriate under the circumstances, a renter identified under subsection (17)(a) of this section is responsible for an infraction.

(11) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this section are for the exclusive use of authorized city or county employees, as specified in RCW 46.63.030(1)(d), in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image, or any other personally identifying data may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section. Transit authorities must provide to the appropriate local jurisdiction that has authorized traffic safety camera use under section 6(2) of this act any images or evidence collected establishing that a violation of stopping, standing, or parking in a bus stop zone has occurred for infraction processing purposes consistent with this section.

(12) If a county or city has established an automated traffic safety camera program as authorized under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. If the contract between the city or county and manufacturer or vendor of the equipment does not provide for performance or quality control measures regarding camera images, the city or county must perform a performance audit of the manufacturer or vendor of the equipment every three years to review and ensure that images produced from automated traffic safety cameras are sufficient for evidentiary purposes as described in subsection (9) of this section.

(13)(a) Except as provided in (c) of this subsection, a county or a city may only use revenue generated by an automated traffic safety camera program as authorized under this section for:

(i) Traffic safety activities related to construction and preservation projects and maintenance and operations purposes including, but not limited to, projects designed to implement the complete streets approach as defined in RCW 47.04.010, changes in physical infrastructure to reduce speeds through road design, and changes to improve safety for active transportation users, including improvements to access and safety for road users with mobility, sight, or other disabilities; and

(ii) The cost to administer, install, operate, and maintain the automated traffic safety cameras, including the cost of processing infractions.

(b)(i) The automated traffic safety camera program revenue used by a county or city with a population of 10,000 or more for purposes described in (a)(i) of this subsection must include the use of revenue in census tracts of the city or county that have household incomes in the lowest quartile determined by the most currently available census data and areas that experience rates of injury crashes that are above average for the city or county. Funding contributed from traffic safety program revenue must be, at a minimum, proportionate to the share of the population of the county or city who are residents of these low-income communities and communities experiencing high injury crash rates. This share must be directed to investments that provide direct and meaningful traffic safety benefits to these communities. Revenue used to administer, install, operate, and maintain automated traffic safety cameras, including the cost of processing infractions, are excluded from determination of the proportionate share of revenues under this subsection (13)(b).

(ii) The automated traffic safety camera program revenue used by a city or county with a population under 10,000 for traffic safety capital improvement projects must be informed by the department of health's environmental health disparities map.

(c)(i) Except as provided in (c)(ii) of this subsection, jurisdictions that have automated traffic safety camera programs in effect before January 1, 2024, for which an ordinance in effect as of January 1, 2024, directs the manner in which revenue generated from automated traffic safety cameras authorized under section 3 or 5(2)(c) of this act must be used, may continue to allocate revenue for these types of infractions in accordance with that ordinance as determined by that jurisdiction, as well as for the purposes established in (a) and (b) of this subsection.

(ii)(A) Beginning four years after an automated traffic safety camera authorized under this section is initially placed and in use after the effective date of this section, 25 percent of the noninterest money received for infractions issued by such cameras in excess of the cost to administer, install, operate, and maintain the cameras, including the cost of processing infractions, must be deposited into the Cooper Jones active transportation safety account created in RCW 46.68.480. The revenue distribution requirements under this subsection (13)(c)(ii)(A) do not apply to automated traffic safety camera programs in effect before January 1, 2024, for which an ordinance in effect as of January 1, 2024, directs the manner in which revenue generated from automated traffic safety cameras authorized under section 3 or 5(2)(c) of this act must be used, or if the camera initially placed and in use after the effective date of this section is relocated within the four-year period.

(B) Jurisdictions with an automated traffic safety program in effect before January 1, 2024, for which an ordinance in effect as of January 1, 2024, directs the manner in which revenue generated from any automated traffic safety cameras authorized under sections 4, 5 (2) (a), (b), (d), (e), and (f), (3), and 6 of this act must

be used, may continue to allocate revenue from these types of infractions in accordance with that ordinance, as well as for the purposes established in (a) and (b) of this subsection, by up to a 10 percent increase in the number of traffic cameras authorized to detect violations as authorized in section 4, 5 (2) (a), (b), (d), (e), or (f), (3), or 6 of this act.

(14) A county or city may adopt the use of an online ability-to-pay calculator to process and grant requests for reduced fines or reduced civil penalties for automated traffic safety camera violations.

(15) Registered owners of vehicles who receive notices of infraction for automated traffic safety camera-enforced infractions and are recipients of public assistance under Title 74 RCW or participants in the Washington women, infants, and children program, and who request reduced penalties for infractions detected through the use of automated traffic safety camera violations, must be granted reduced penalty amounts of 25 percent of what would otherwise be assessed. Registered owners of vehicles who receive notices of infraction must be provided with information on their eligibility and the opportunity to apply for a reduction in penalty amounts through the mail or internet.

(16) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section must be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(2). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera may not exceed \$145, as adjusted for inflation by the office of financial management every five years, beginning January 1, 2029, based upon changes in the consumer price index during that time period.

(17) If the registered owner of the vehicle is a rental car business, the issuing agency must, before a notice of infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the issuing agency relieves a rental car business of any liability under this chapter for the notice of infraction.

NEW SECTION. Sec. 3. A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect stoplight violations, subject to section 2 of this act.

(2) Automated traffic safety cameras used to detect stoplight violations are restricted to intersections of two or more arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera.

NEW SECTION. Sec. 4. A new section is added to chapter 46.63 RCW to read as follows:

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(1) Automated traffic safety cameras may be used to detect railroad grade crossing violations, subject to section 2 of this act.

(2) Automated traffic safety cameras at railroad grade crossings may be used only to detect instances when a vehicle fails to stop when facing an activated railroad grade crossing control signal.

NEW SECTION. Sec. 5. A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect speed violations, subject to section 2 of this act.

(2) Automated traffic safety cameras may be used to detect speed violations within the following locations:

- (a) Hospital speed zones;
- (b) Public park speed zones;
- (c) School speed zones;
- (d) School walk zones;

(e) Roadway work zones, except that a notice of infraction may only be issued if an automated traffic safety camera captures a speed violation when workers are present; and

(f) State highways within city limits that are classified as city streets under chapter 47.24 RCW.

(3) In addition to the automated traffic safety cameras that may be authorized for specified zones or roads in subsection (2) of this section, the local legislative authority may authorize the use of one additional automated traffic safety camera per 10,000 population to detect speed violations in locations deemed by the local legislative authority to experience higher crash risks due to excessive vehicle speeds. For automated traffic safety cameras authorized to detect speed violations as part of a pilot program prior to the effective date of this section, the location must be deemed by a local legislative authority to have experienced higher crash risks due to excessive vehicle speeds prior to installation of the automated traffic safety camera.

NEW SECTION. Sec. 6. A new section is added to chapter 46.63 RCW to read as follows:

(1) Subject to section 2 of this act and subsection (5) of this section, automated traffic safety cameras may be used in cities with populations of more than 500,000 residents to detect one or more of the following violations:

- (a) Stopping when traffic obstructed violations;
- (b) Stopping at intersection or crosswalk violations;
- (c) Public transportation only lane violations; or
- (d) Stopping or traveling in restricted lane violations.

(2) Subject to section 2 of this act, automated traffic safety cameras may also be used in cities with a bus rapid transit corridor or routes to detect public transportation only lane violations.

(3) Subject to section 2 of this act, automated traffic safety cameras that are part of a public transportation vehicle-mounted system may be used by a transit authority within a county with a population of more than 1,500,000 residents to detect stopping, standing, or parking in bus stop zone violations if authorized by the local legislative authority with jurisdiction over the transit authority.

(4) Subject to section 2 of this act, and in consultation with the department of transportation, automated traffic safety cameras may be used to detect ferry queue violations under RCW 46.61.735.

(5) Use of automated traffic safety cameras as authorized in subsection (1) of this section is restricted to the following locations only: Intersections as described in section 3(2) of this act; railroad grade crossings; school speed zones; school walk zones; public park speed zones; hospital speed zones; and midblock on arterials. The use of such automated traffic safety cameras is further limited to the following:

(a) The portion of state and local roadways in downtown areas of the city used for office and commercial activities, as well as

retail shopping and support services, and that may include mixed residential uses;

(b) The portion of state and local roadways in areas in the city within one-half mile north of the boundary of the area described in (a) of this subsection;

(c) Portions of roadway systems in the city that travel into and out of (b) of this subsection that are designated by the Washington state department of transportation as noninterstate freeways for up to four miles; and

(d) Portions of roadway systems in the city connected to the portions of the noninterstate freeways identified in (c) of this subsection that are designated by the Washington state department of transportation as arterial roadways for up to one mile from the intersection of the arterial roadway and the noninterstate freeway.

(6) A transit authority may not take disciplinary action regarding a warning or infraction issued pursuant to subsections (1) through (3) of this section against an employee who was operating a public transportation vehicle at the time the violation that was the basis of the warning or infraction was detected.

Sec. 7. RCW 46.16A.120 and 2012 c 83 s 5 are each amended to read as follows:

(1) Each court and government agency located in this state having jurisdiction over standing, stopping, and parking violations, the use of a photo toll system under RCW 46.63.160, the use of automated traffic safety cameras under (~~RCW 46.63.170~~) sections 2 through 6 of this act, and the use of automated school bus safety cameras under RCW 46.63.180 may forward to the department any outstanding:

(a) Standing, stopping, and parking violations;

(b) Civil penalties for toll nonpayment detected through the use of photo toll systems issued under RCW 46.63.160;

(c) Automated traffic safety camera infractions issued under RCW 46.63.030(1)(d); and

(d) Automated school bus safety camera infractions issued under RCW 46.63.030(1)(e).

(2) Violations, civil penalties, and infractions described in subsection (1) of this section must be reported to the department in the manner described in RCW 46.20.270(3).

(3) The department shall:

(a) Record the violations, civil penalties, and infractions on the matching vehicle records; and

(b) Send notice approximately (~~(one hundred twenty)~~) 120 days in advance of the current vehicle registration expiration date to the registered owner listing the dates and jurisdictions in which the violations, civil penalties, and infractions occurred, the amounts of unpaid fines and penalties, and the surcharge to be collected. Only those violations, civil penalties, and infractions received by the department (~~(one hundred twenty)~~) 120 days or more before the current vehicle registration expiration date will be included in the notice. Violations, civil penalties, and infractions received by the department later than (~~(one hundred twenty)~~) 120 days before the current vehicle registration expiration date that are not satisfied will be delayed until the next vehicle registration expiration date.

(4) The department, county auditor or other agent, or subagent appointed by the director shall not renew a vehicle registration if there are any outstanding standing, stopping, and parking violations, and other civil penalties issued under RCW 46.63.160 for the vehicle unless:

(a) The outstanding standing, stopping, or parking violations and civil penalties were received by the department within (~~(one hundred twenty)~~) 120 days before the current vehicle registration expiration;

(b) There is a change in registered ownership; or

(c) The registered owner presents proof of payment of each violation, civil penalty, and infraction provided in this section and the registered owner pays the surcharge required under RCW 46.17.030.

(5) The department shall:

(a) Forward a change in registered ownership information to the court or government agency who reported the outstanding violations, civil penalties, or infractions; and

(b) Remove the outstanding violations, civil penalties, and infractions from the vehicle record.

Sec. 8. RCW 46.63.030 and 2023 c 17 s 1 are each amended to read as follows:

(1) A law enforcement officer has the authority to issue a notice of traffic infraction:

(a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;

(b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of an automated traffic safety camera under ~~((RCW 46.63.170))~~ sections 2 through 6 of this act. A trained and authorized civilian employee of a general authority Washington law enforcement agency, as defined in RCW 10.93.020, or an employee of a local public works or transportation department performing under the supervision of a qualified traffic engineer and as designated by a city or county, has the authority to review infractions detected through the use of an automated traffic safety camera under sections 2 through 6 of this act and to issue notices of infraction consistent with section 2(9) of this act. These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW;

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180. A trained and authorized civilian employee of a general authority Washington law enforcement agency, as defined in RCW 10.93.020, or an employee of a local public works or transportation department performing under the supervision of a qualified traffic engineer and as designated by a city or county, has the authority to review infractions detected through the use of an automated school bus safety camera under RCW 46.63.180 and to issue notices of infraction consistent with RCW 46.63.180(1)(b). These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW; or

(f) When the infraction is detected through the use of a speed safety camera system under RCW 46.63.200.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration

number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

Sec. 9. RCW 46.63.180 and 2013 c 306 s 716 are each amended to read as follows:

(1) School districts may install and operate automated school bus safety cameras on school buses to be used for the detection of violations of RCW 46.61.370(1) if the use of the cameras is approved by a vote of the school district board of directors. School districts are not required to take school buses out of service if the buses are not equipped with automated school bus safety cameras or functional automated safety cameras. Further, school districts shall be held harmless from and not liable for any criminal or civil liability arising under the provisions of this section.

(a) Automated school bus safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle.

(b) A notice of infraction must be mailed to the registered owner of the vehicle within ~~((fourteen))~~ 14 days of the violation, or to the renter of a vehicle within ~~((fourteen))~~ 14 days of establishing the renter's name and address under subsection (2)(a)(i) of this section. ~~The ((law enforcement officer issuing the))~~ notice of infraction ~~((shall))~~ must also include a certificate or facsimile of the notice, based upon inspection of photographs, microphotographs, or electronic images produced by an automated school bus safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated school bus safety camera may respond to the notice by mail.

(c) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(e) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (2) of this section. If appropriate under the circumstances, a renter identified under subsection (2)(a)(i) of this section is responsible for an infraction.

(d) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of ~~((law enforcement))~~

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authorized city or county employees, as specified in RCW 46.63.030(1)(e), in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(e) If a school district installs and operates an automated school bus safety camera under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. Further, any repair, replacement, or administrative work costs related to installing or repairing automated school bus safety cameras must be solely paid for by the manufacturer or vendor of the cameras. Before entering into a contract with the manufacturer or vendor of the equipment used under this subsection (1)(e), the school district must follow the competitive bid process as outlined in RCW 28A.335.190(1).

(f) Any revenue collected from infractions detected through the use of automated school bus safety cameras, less the administration and operating costs of the cameras, must be remitted to school districts for school zone safety projects as determined by the school district using the automated school bus safety cameras. The administration and operating costs of the cameras includes infraction enforcement and processing costs that are incurred by local law enforcement or local courts. During the 2013-2015 fiscal biennium, the infraction revenue may also be used for school bus safety projects by those school districts eligible to apply for funding from the school zone safety account appropriation in section 201, chapter 306, Laws of 2013.

(2)(a) If the registered owner of the vehicle is a rental car business, the ~~((law enforcement))~~ issuing agency shall, before a notice of infraction is issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within ~~((eighteen))~~ 18 days of receiving the written notice, provide to the issuing agency by return mail:

(i) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred;

(ii) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection (2)(a)(ii) must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(iii) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

(b) Timely mailing of a statement under this subsection to the issuing ~~((law enforcement))~~ agency relieves a rental car business of any liability under this chapter for the notice of infraction.

(3) For purposes of this section, "automated school bus safety camera" means a device that is affixed to a school bus that is synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a vehicle at the time the vehicle is detected for an infraction identified in RCW 46.61.370(1).

Sec. 10. RCW 46.63.075 and 2023 c 17 s 2 are each amended to read as follows:

(1) In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under ~~((RCW 46.63.170))~~ sections 2 through 6 of this act, detected

through the use of a speed safety camera system under RCW 46.63.200, or detected through the use of an automated school bus safety camera under RCW 46.63.180, proof that the particular vehicle described in the notice of traffic infraction was in violation of any such provision of sections 2 through 6 of this act or RCW ~~((46.63.170,))~~ 46.63.200~~((,))~~ and 46.63.180, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

(2) This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

Sec. 11. RCW 46.68.480 and 2023 c 431 s 8 are each amended to read as follows:

The Cooper Jones active transportation safety account is created in the state treasury. All receipts from penalties collected under ~~((RCW 46.63.170))~~ section 2(13)(c)(ii)(A) of this act and funds designated by the legislature shall be deposited into the account. Expenditures from the account may be used only to fund grant projects or programs for bicycle, pedestrian, and nonmotorist safety improvement administered by the Washington traffic safety commission. By December 1, 2024, and every two years thereafter, the commission shall report to the transportation committees of the legislature regarding the activities funded from the account. The account is subject to allotment procedures under chapter 43.88 RCW. Moneys in the account may be spent only after appropriation.

NEW SECTION. **Sec. 12.** RCW 46.63.170 (Automated traffic safety cameras—Definition) and 2022 c 182 s 424, 2022 c 182 s 423, 2020 c 224 s 1, 2015 3rd sp.s. c 44 s 406, 2015 1st sp.s. c 10 s 702, & 2013 c 306 s 711 are each repealed."

On page 1, line 1 of the title, after "cameras;" strike the remainder of the title and insert "amending RCW 46.16A.120, 46.63.030, 46.63.180, 46.63.075, and 46.68.480; adding new sections to chapter 46.63 RCW; and repealing RCW 46.63.170."

Senator Liias spoke in favor of not adopting the committee striking amendment.

The President declared the question before the Senate to be the motion to not adopt the committee striking amendment by the Committee on Transportation to Engrossed Substitute House Bill No. 2384.

The motion by Senator Liias carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Liias moved that the following striking amendment no. 803 by Senator Liias be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 46.63 RCW to read as follows:

The definitions in this section apply throughout this section and sections 2 through 6 of this act unless the context clearly requires otherwise.

(1) "Automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing

control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the front or rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit as detected by a speed measuring device. "Automated traffic safety camera" also includes a device used to detect stopping at intersection or crosswalk violations; stopping when traffic obstructed violations; public transportation only lane violations; stopping or traveling in restricted lane violations; and public transportation bus stop zone violations detected by a public transportation vehicle-mounted system.

(2) "Hospital speed zone" means the marked area within hospital property and extending 300 feet from the border of the hospital property (a) consistent with hospital use; and (b) where signs are posted to indicate the location is within a hospital speed zone, where "hospital" has the same meaning as in RCW 70.41.020.

(3) "Public park speed zone" means the marked area within public park property and extending 300 feet from the border of the public park property (a) consistent with active park use; and (b) where signs are posted to indicate the location is within a public park speed zone.

(4) "Public transportation vehicle" means any motor vehicle, streetcar, train, trolley vehicle, ferry boat, or any other device, vessel, or vehicle that is owned or operated by a transit authority or an entity providing service on behalf of a transit authority that is used for the purpose of carrying passengers and that operates on established routes. "Transit authority" has the same meaning as provided in RCW 9.91.025.

(5) "Roadway work zone" means an area of any city roadway, including state highways that are also classified as city streets under chapter 47.24 RCW, or county road as defined in RCW 46.04.150, with construction, maintenance, or utility work with a duration of 30 calendar days or more. A roadway work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing devices, barriers, pavement markings, and/or work vehicles with warning lights. A roadway work zone extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the last temporary traffic control device or vehicle.

(6) "School speed zone" has the same meaning as described in RCW 46.61.440 (1) and (2).

(7) "School walk zone" means a roadway identified under RCW 28A.160.160 or roadways within a one-mile radius of a school that students use to travel to school by foot, bicycle, or other means of active transportation.

NEW SECTION. Sec. 2. A new section is added to chapter 46.63 RCW to read as follows:

(1) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(2) Any city or county may authorize the use of automated traffic safety cameras and must adopt an ordinance authorizing such use through its local legislative authority.

(3) The local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located before adding traffic safety cameras to a new location or relocating any existing camera to a new location within the jurisdiction. The analysis must include equity considerations including the impact of the camera placement on livability, accessibility, economics, education, and

environmental health when identifying where to locate an automated traffic safety camera. The analysis must also show a demonstrated need for traffic cameras based on one or more of the following in the vicinity of the proposed camera location: Travel by vulnerable road users, evidence of vehicles speeding, rates of collision, reports showing near collisions, and anticipated or actual ineffectiveness or infeasibility of other mitigation measures.

(4) Automated traffic safety cameras may not be used on an on-ramp to a limited access facility as defined in RCW 47.52.010.

(5) A city may use automated traffic safety cameras to enforce traffic ordinances in this section on state highways that are also classified as city streets under chapter 47.24 RCW. A city government must notify the department of transportation when it installs an automated traffic safety camera to enforce traffic ordinances as authorized in this subsection.

(6)(a) At a minimum, a local ordinance adopted pursuant to this section must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties must also post such restrictions and other automated traffic safety camera policies on the city's or county's website. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to adopt an authorizing ordinance.

(b)(i) Cities and counties using automated traffic safety cameras must post an annual report on the city's or county's website of the number of traffic crashes that occurred at each location where an automated traffic safety camera is located, as well as the number of notices of infraction issued for each camera. Beginning January 1, 2026, the annual report must include the percentage of revenues received from fines issued from automated traffic safety camera infractions that were used to pay for the costs of the automated traffic safety camera program and must describe the uses of revenues that exceeded the costs of operation and administration of the automated traffic safety camera program by the city or county.

(ii) The Washington traffic safety commission must provide an annual report to the transportation committees of the legislature, and post the report to its website for public access, beginning July 1, 2026, that includes aggregated information on the use of automated traffic safety cameras in the state that includes an assessment of the impact of their use, information required in city and county annual reports under (b)(i) of this subsection, and information on the number of automated traffic safety cameras in use by type and location, with an analysis of camera placement in the context of area demographics and household incomes. Cities and counties using automated traffic safety cameras must provide the commission with the data it requests for the report required under this subsection in a form and manner specified by the commission.

(7) All locations where an automated traffic safety camera is used on roadways or intersections must be clearly marked by placing signs at least 30 days prior to activation of the camera in locations that clearly indicate to a driver either that: (a) The driver is within an area where automated traffic safety cameras are authorized; or (b) the driver is entering an area where violations are enforced by an automated traffic safety camera. The signs must be readily visible to a driver approaching an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW. All public transportation vehicles utilizing a vehicle-mounted system must post a sign on the rear of the vehicle indicating to drivers

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that the vehicle is equipped with an automated traffic safety camera to enforce bus stop zone violations.

(8) Automated traffic safety cameras may only record images of the vehicle and vehicle license plate and only while an infraction is occurring. The image must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to record images of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties must consider installing automated traffic safety cameras in a manner that minimizes the impact of camera flash on drivers.

(9) A notice of infraction must be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address under subsection (17) of this section. The notice of infraction must include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(10) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (17) of this section. If appropriate under the circumstances, a renter identified under subsection (17)(a) of this section is responsible for an infraction.

(11) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this section are for the exclusive use of authorized city or county employees, as specified in RCW 46.63.030(1)(d), in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image, or any other personally identifying data may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section. Transit authorities must provide to the appropriate local jurisdiction that has authorized traffic safety camera use under section 6(2) of this act any images or evidence collected establishing that a violation of stopping, standing, or parking in a bus stop zone has occurred for infraction processing purposes consistent with this section.

(12) If a county or city has established an automated traffic safety camera program as authorized under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. If the contract between the city or county and manufacturer or vendor of the equipment does not provide for performance or quality control measures regarding camera images, the city or county must perform a performance audit of the manufacturer or vendor of the equipment every three years to review and ensure that images produced from automated traffic safety cameras are sufficient for evidentiary purposes as described in subsection (9) of this section.

(13)(a) Except as provided in (d) of this subsection, a county or a city may only use revenue generated by an automated traffic safety camera program as authorized under this section for:

(i) Traffic safety activities related to construction and preservation projects and maintenance and operations purposes including, but not limited to, projects designed to implement the complete streets approach as defined in RCW 47.04.010, changes in physical infrastructure to reduce speeds through road design, and changes to improve safety for active transportation users, including improvements to access and safety for road users with mobility, sight, or other disabilities; and

(ii) The cost to administer, install, operate, and maintain the automated traffic safety cameras, including the cost of processing infractions.

(b) Except as provided in (d) of this subsection:

(i) The automated traffic safety camera program revenue used by a county or city with a population of 10,000 or more for purposes described in (a)(i) of this subsection must include the use of revenue in census tracts of the city or county that have household incomes in the lowest quartile determined by the most currently available census data and areas that experience rates of injury crashes that are above average for the city or county. Funding contributed from traffic safety program revenue must be, at a minimum, proportionate to the share of the population of the county or city who are residents of these low-income communities and communities experiencing high injury crash rates. This share must be directed to investments that provide direct and meaningful traffic safety benefits to these communities. Revenue used to administer, install, operate, and maintain automated traffic safety cameras, including the cost of processing infractions, are excluded from determination of the proportionate share of revenues under this subsection (13)(b); and

(ii) The automated traffic safety camera program revenue used by a city or county with a population under 10,000 for traffic safety activities under (a)(i) of this subsection must be informed by the department of health's environmental health disparities map.

(c) Except as provided in (d) of this subsection, beginning four years after an automated traffic safety camera authorized under this section is initially placed and in use after the effective date of this section, 25 percent of the noninterest money received for infractions issued by such cameras in excess of the cost to administer, install, operate, and maintain the cameras, including the cost of processing infractions, must be deposited into the Cooper Jones active transportation safety account created in RCW 46.68.480.

(d)(i)(A) Jurisdictions with an automated traffic safety camera program in effect before January 1, 2024, may continue to allocate revenue generated from automated traffic safety cameras authorized under sections 3 and 5(2)(c) of this act as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection, by:

(I) Up to a 10 percent increase in the number of traffic safety camera locations authorized to detect violations for automated traffic safety cameras authorized under section 3 of this act; and

(II) Up to a 10 percent increase in the number of traffic safety camera locations authorized to detect violations for automated traffic safety cameras authorized under section 5(2)(c) of this act.

(B)(I) Any automated traffic safety camera program in effect before January 1, 2024, with fewer than 10 traffic safety camera locations for automated traffic safety cameras authorized under section 3 of this act, which adds automated traffic safety cameras to one additional location for the use of cameras authorized under section 3 of this act, may continue to allocate revenue generated from automated traffic safety cameras authorized under section 3

of this act as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection.

(II) Any automated traffic safety camera program in effect before January 1, 2024, with fewer than 10 traffic safety camera locations for automated traffic safety cameras authorized under section 5(2)(c) of this act as of January 1, 2024, which adds automated traffic safety cameras to one additional location for the use of cameras authorized under section 5(2)(c) of this act, may continue to allocate revenue generated from automated traffic safety cameras authorized under section 5(2)(c) of this act as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection.

(C) For the purposes of this subsection (13)(d)(i), a location is:

(I) An intersection for automated traffic safety cameras authorized under section 3 of this act where cameras authorized under section 3 of this act are in use; and

(II) A school speed zone for automated traffic safety cameras authorized under section 5(2)(c) of this act where cameras authorized under section 5(2)(c) of this act are in use.

(ii) The revenue distribution requirements under (a) through (c) of this subsection do not apply to automated traffic safety camera programs in effect before January 1, 2024, for which an ordinance in effect as of January 1, 2024, directs the manner in which revenue generated from automated traffic safety cameras authorized under section 3 or 5(2)(c) of this act must be used.

(14) A county or city may adopt the use of an online ability-to-pay calculator to process and grant requests for reduced fines or reduced civil penalties for automated traffic safety camera violations.

(15) Except as provided in this subsection, registered owners of vehicles who receive notices of infraction for automated traffic safety camera-enforced infractions and are recipients of public assistance under Title 74 RCW or participants in the Washington women, infants, and children program, and who request reduced penalties for infractions detected through the use of automated traffic safety camera violations, must be granted reduced penalty amounts of 25 percent of what would otherwise be assessed. Eligibility for medicaid under RCW 74.09.510 is not a qualifying criterion under this subsection. Registered owners of vehicles who receive notices of infraction must be provided with information on their eligibility and the opportunity to apply for a reduction in penalty amounts through the mail or internet.

(16) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section must be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(2). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera may not exceed \$145, as adjusted for inflation by the office of financial management every five years, beginning January 1, 2029, based upon changes in the consumer price index during that time period, but may be doubled for a school speed zone infraction generated through the use of an automated traffic safety camera.

(17) If the registered owner of the vehicle is a rental car business, the issuing agency must, before a notice of infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the issuing agency relieves a rental car business of any liability under this chapter for the notice of infraction.

NEW SECTION. Sec. 3. A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect stoplight violations, subject to section 2 of this act.

(2) Automated traffic safety cameras used to detect stoplight violations are restricted to intersections of two or more arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera.

NEW SECTION. Sec. 4. A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect railroad grade crossing violations, subject to section 2 of this act.

(2) Automated traffic safety cameras at railroad grade crossings may be used only to detect instances when a vehicle fails to stop when facing an activated railroad grade crossing control signal.

NEW SECTION. Sec. 5. A new section is added to chapter 46.63 RCW to read as follows:

(1) Automated traffic safety cameras may be used to detect speed violations, subject to section 2 of this act.

(2) Automated traffic safety cameras may be used to detect speed violations within the following locations:

- (a) Hospital speed zones;
- (b) Public park speed zones;
- (c) School speed zones;
- (d) School walk zones;

(e) Roadway work zones, except that a notice of infraction may only be issued if an automated traffic safety camera captures a speed violation when workers are present; and

(f) State highways within city limits that are classified as city streets under chapter 47.24 RCW.

(3) In addition to the automated traffic safety cameras that may be authorized for specified zones or roads in subsection (2) of this section, the local legislative authority may authorize the use of one additional automated traffic safety camera per 10,000 population to detect speed violations in locations deemed by the local legislative authority to experience higher crash risks due to excessive vehicle speeds. For automated traffic safety cameras authorized to detect speed violations as part of a pilot program prior to the effective date of this section, the location must be deemed by a local legislative authority to have experienced higher crash risks due to excessive vehicle speeds prior to installation of the automated traffic safety camera.

NEW SECTION. Sec. 6. A new section is added to chapter 46.63 RCW to read as follows:

(1)(a) Subject to section 2 of this act and as limited in this subsection, automated traffic safety cameras may be used in cities with populations of more than 500,000 residents to detect one or more of the following violations:

- (i) Stopping when traffic obstructed violations;
- (ii) Stopping at intersection or crosswalk violations;
- (iii) Public transportation only lane violations; or

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- (iv) Stopping or traveling in restricted lane violations.
- (b) Use of automated traffic safety cameras as authorized in this subsection (1) is restricted to the following locations only: Intersections as described in section 3(2) of this act; railroad grade crossings; school speed zones; school walk zones; public park speed zones; hospital speed zones; and midblock on arterials. The use of such automated traffic safety cameras is further limited to the following:
- (i) The portion of state and local roadways in downtown areas of the city used for office and commercial activities, as well as retail shopping and support services, and that may include mixed residential uses;
- (ii) The portion of state and local roadways in areas in the city within one-half mile north of the boundary of the area described in (b)(i) of this subsection;
- (iii) Portions of roadway systems in the city that travel into and out of (b)(ii) of this subsection that are designated by the Washington state department of transportation as noninterstate freeways for up to four miles; and
- (iv) Portions of roadway systems in the city connected to the portions of the noninterstate freeways identified in (b)(iii) of this subsection that are designated by the Washington state department of transportation as arterial roadways for up to one mile from the intersection of the arterial roadway and the noninterstate freeway.
- (2) Subject to section 2 of this act, automated traffic safety cameras may also be used in cities with a bus rapid transit corridor or routes to detect public transportation only lane violations.
- (3) Subject to section 2 of this act, automated traffic safety cameras that are part of a public transportation vehicle-mounted system may be used by a transit authority within a county with a population of more than 1,500,000 residents to detect stopping, standing, or parking in bus stop zone violations if authorized by the local legislative authority with jurisdiction over the transit authority.
- (4) Subject to section 2 of this act, and in consultation with the department of transportation, automated traffic safety cameras may be used to detect ferry queue violations under RCW 46.61.735.
- (5) A transit authority may not take disciplinary action regarding a warning or infraction issued pursuant to subsections (1) through (3) of this section against an employee who was operating a public transportation vehicle at the time the violation that was the basis of the warning or infraction was detected.
- Sec. 7.** RCW 46.16A.120 and 2012 c 83 s 5 are each amended to read as follows:
- (1) Each court and government agency located in this state having jurisdiction over standing, stopping, and parking violations, the use of a photo toll system under RCW 46.63.160, the use of automated traffic safety cameras under ~~((RCW 46.63.170))~~ sections 2 through 6 of this act, and the use of automated school bus safety cameras under RCW 46.63.180 may forward to the department any outstanding:
- (a) Standing, stopping, and parking violations;
- (b) Civil penalties for toll nonpayment detected through the use of photo toll systems issued under RCW 46.63.160;
- (c) Automated traffic safety camera infractions issued under RCW 46.63.030(1)(d); and
- (d) Automated school bus safety camera infractions issued under RCW 46.63.030(1)(e).
- (2) Violations, civil penalties, and infractions described in subsection (1) of this section must be reported to the department in the manner described in RCW 46.20.270(3).
- (3) The department shall:

- (a) Record the violations, civil penalties, and infractions on the matching vehicle records; and
- (b) Send notice approximately ~~((one hundred twenty))~~ 120 days in advance of the current vehicle registration expiration date to the registered owner listing the dates and jurisdictions in which the violations, civil penalties, and infractions occurred, the amounts of unpaid fines and penalties, and the surcharge to be collected. Only those violations, civil penalties, and infractions received by the department ~~((one hundred twenty))~~ 120 days or more before the current vehicle registration expiration date will be included in the notice. Violations, civil penalties, and infractions received by the department later than ~~((one hundred twenty))~~ 120 days before the current vehicle registration expiration date that are not satisfied will be delayed until the next vehicle registration expiration date.
- (4) The department, county auditor or other agent, or subagent appointed by the director shall not renew a vehicle registration if there are any outstanding standing, stopping, and parking violations, and other civil penalties issued under RCW 46.63.160 for the vehicle unless:
- (a) The outstanding standing, stopping, or parking violations and civil penalties were received by the department within ~~((one hundred twenty))~~ 120 days before the current vehicle registration expiration;
- (b) There is a change in registered ownership; or
- (c) The registered owner presents proof of payment of each violation, civil penalty, and infraction provided in this section and the registered owner pays the surcharge required under RCW 46.17.030.
- (5) The department shall:
- (a) Forward a change in registered ownership information to the court or government agency who reported the outstanding violations, civil penalties, or infractions; and
- (b) Remove the outstanding violations, civil penalties, and infractions from the vehicle record.
- Sec. 8.** RCW 46.63.030 and 2023 c 17 s 1 are each amended to read as follows:
- (1) A law enforcement officer has the authority to issue a notice of traffic infraction:
- (a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;
- (b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;
- (c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;
- (d) When the infraction is detected through the use of an automated traffic safety camera under ~~((RCW 46.63.170))~~ sections 2 through 6 of this act. A trained and authorized civilian employee of a general authority Washington law enforcement agency, as defined in RCW 10.93.020, or an employee of a local public works or transportation department performing under the supervision of a qualified traffic engineer and as designated by a city or county, has the authority to review infractions detected through the use of an automated traffic safety camera under sections 2 through 6 of this act and to issue notices of infraction consistent with section 2(9) of this act. These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW;

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180, A trained and authorized civilian employee of a general authority Washington law enforcement agency, as defined in RCW 10.93.020, or an employee of a local public works or transportation department performing under the supervision of a qualified traffic engineer and as designated by a city or county, has the authority to review infractions detected through the use of an automated school bus safety camera under RCW 46.63.180 and to issue notices of infraction consistent with RCW 46.63.180(1)(b). These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW; or

(f) When the infraction is detected through the use of a speed safety camera system under RCW 46.63.200.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

Sec. 9. RCW 46.63.180 and 2013 c 306 s 716 are each amended to read as follows:

(1) School districts may install and operate automated school bus safety cameras on school buses to be used for the detection of violations of RCW 46.61.370(1) if the use of the cameras is approved by a vote of the school district board of directors. School districts are not required to take school buses out of service if the buses are not equipped with automated school bus safety cameras or functional automated safety cameras. Further, school districts shall be held harmless from and not liable for any criminal or civil liability arising under the provisions of this section.

(a) Automated school bus safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle.

(b) A notice of infraction must be mailed to the registered owner of the vehicle within ~~((fourteen))~~ 14 days of the violation, or to the renter of a vehicle within ~~((fourteen))~~ 14 days of

establishing the renter's name and address under subsection (2)(a)(i) of this section. The ~~((law enforcement officer issuing the))~~ notice of infraction ~~((shall))~~ must also include a certificate or facsimile of the notice, based upon inspection of photographs, microphotographs, or electronic images produced by an automated school bus safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated school bus safety camera may respond to the notice by mail.

(c) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(e) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (2) of this section. If appropriate under the circumstances, a renter identified under subsection (2)(a)(i) of this section is responsible for an infraction.

(d) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of ~~((law enforcement))~~ authorized city or county employees, as specified in RCW 46.63.030(1)(e), in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(e) If a school district installs and operates an automated school bus safety camera under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. Further, any repair, replacement, or administrative work costs related to installing or repairing automated school bus safety cameras must be solely paid for by the manufacturer or vendor of the cameras. Before entering into a contract with the manufacturer or vendor of the equipment used under this subsection (1)(e), the school district must follow the competitive bid process as outlined in RCW 28A.335.190(1).

(f) Any revenue collected from infractions detected through the use of automated school bus safety cameras, less the administration and operating costs of the cameras, must be remitted to school districts for school zone safety projects as determined by the school district using the automated school bus safety cameras. The administration and operating costs of the cameras includes infraction enforcement and processing costs that are incurred by local law enforcement or local courts. During the 2013-2015 fiscal biennium, the infraction revenue may also be used for school bus safety projects by those school districts eligible to apply for funding from the school zone safety account appropriation in section 201, chapter 306, Laws of 2013.

(2)(a) If the registered owner of the vehicle is a rental car business, the ~~((law enforcement))~~ issuing agency shall, before a notice of infraction is issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within ~~((eighteen))~~ 18 days of receiving the written notice, provide to the issuing agency by return mail:

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(i) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred;

(ii) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection (2)(a)(ii) must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(iii) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

(b) Timely mailing of a statement under this subsection to the issuing ~~((law enforcement))~~ agency relieves a rental car business of any liability under this chapter for the notice of infraction.

(3) For purposes of this section, "automated school bus safety camera" means a device that is affixed to a school bus that is synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a vehicle at the time the vehicle is detected for an infraction identified in RCW 46.61.370(1).

Sec. 10. RCW 46.63.075 and 2023 c 17 s 2 are each amended to read as follows:

(1) In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under ~~((RCW 46.63.170))~~ sections 2 through 6 of this act, detected through the use of a speed safety camera system under RCW 46.63.200, or detected through the use of an automated school bus safety camera under RCW 46.63.180, proof that the particular vehicle described in the notice of traffic infraction was in violation of any such provision of sections 2 through 6 of this act or RCW ~~((46.63.170,))~~ 46.63.200~~(7)~~ and 46.63.180, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

(2) This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

Sec. 11. RCW 46.68.480 and 2023 c 431 s 8 are each amended to read as follows:

The Cooper Jones active transportation safety account is created in the state treasury. All receipts from penalties collected under ~~((RCW 46.63.170))~~ section 2(13)(c) of this act and funds designated by the legislature shall be deposited into the account. Expenditures from the account may be used only to fund grant projects or programs for bicycle, pedestrian, and nonmotorist safety improvement administered by the Washington traffic safety commission. By December 1, 2024, and every two years thereafter, the commission shall report to the transportation committees of the legislature regarding the activities funded from the account. The account is subject to allotment procedures under chapter 43.88 RCW. Moneys in the account may be spent only after appropriation.

NEW SECTION. **Sec. 12.** RCW 46.63.170 (Automated traffic safety cameras—Definition) and 2022 c 182 s 424, 2022 c 182 s 423, 2020 c 224 s 1, 2015 3rd sp.s. c 44 s 406, 2015 1st sp.s. c 10 s 702, & 2013 c 306 s 711 are each repealed."

On page 1, line 1 of the title, after "cameras;" strike the remainder of the title and insert "amending RCW 46.16A.120, 46.63.030, 46.63.180, 46.63.075, and 46.68.480; adding new sections to chapter 46.63 RCW; and repealing RCW 46.63.170."

MOTION

Senator Wilson, J. moved that the following amendment no. 857 by Senator Wilson, J. be adopted:

On page 2, line 33, after "authority." insert "Before any city or county may implement an ordinance adopted after the effective date of this section authorizing the use of traffic safety cameras, the ordinance must be approved by a majority of voters within the city or county's jurisdiction at the next special or general election."

Senator Wilson, J. spoke in favor of adoption of the amendment to the striking amendment.

Senator Liias spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 857 by Senator Wilson, J. on page 2, line 33 to striking amendment no. 803.

The motion by Senator Wilson, J. did not carry and amendment no. 857 was not adopted by voice vote.

MOTION

Senator Holy moved that the following amendment no. 852 by Senator Holy be adopted:

On page 4, line 5, after "incomes." insert "To the extent practicable, the commission must also provide in its annual report the number of traffic accidents, speeding violations, single vehicle accidents, pedestrian accidents, and driving under the influence violations that occurred at each location where an automated traffic safety camera is located in the five years before each camera's authorization and after each camera's authorization."

Senators Holy and Liias spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 852 by Senator Holy on page 4, line 5 to striking amendment no. 803.

The motion by Senator Holy carried and amendment no. 852 was adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 858 by Senator Wilson, J. be adopted:

Beginning on page 6, line 7, after "(13)" strike all material through "used." on page 8, line 16 and insert "Beginning on the effective date of this section, any noninterest money received for infractions issued by automated traffic safety cameras authorized under this act in excess of the cost to administer, install, operate, and maintain the cameras, including the cost of processing infractions, must be deposited into the motor vehicle fund."

On page 18, line 20, after "~~((RCW 46.63.170))~~" strike all material through "and"

Senator Wilson, J. spoke in favor of adoption of the amendment to the striking amendment.

Senator Liias spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 858 by Senator Wilson, J. on page 6, line 7 to striking amendment no. 803.

The motion by Senator Wilson, J. did not carry and amendment no. 858 was not adopted by voice vote.

MOTION

Senator Kauffman moved that the following amendment no. 848 by Senator Kauffman be adopted:

On page 8, line 11, after "through" strike "(c)" and insert "(d)(i)"

On page 8, line 28, after "amounts of" strike all material through "assessed" and insert "50 percent of what would otherwise be assessed for a first automated traffic safety camera violation and for subsequent automated traffic safety camera violations issued within 21 days of issuance of the first automated traffic safety camera violation"

Senator Kauffman spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 848 by Senator Kauffman on page 8, line 11 to Engrossed Substitute House Bill No. 2384.

The motion by Senator Kauffman carried and amendment no. 848 was adopted by voice vote.

MOTION

Senator King moved that the following amendment no. 855 by Senator King be adopted:

On page 9, beginning on line 2, after "exceed" strike all material through "but" on line 4 and insert "the lesser of \$48 or the lowest parking infraction fine amount within the jurisdiction. Such fine amount"

Senator King spoke in favor of adoption of the amendment to the striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, amendment no. 855 by Senator King on page 9, line 2 to striking amendment no. 803 was withdrawn.

MOTION

Senator King moved that the following amendment no. 853 by Senator King be adopted:

On page 10, after line 32, insert the following:

"(4) The registered owner of a vehicle may only be issued a notice of infraction for a violation detected through the use of an automated traffic safety camera as authorized under this section if the vehicle is traveling at least five miles per hour or more in excess of the posted speed limit."

Senator King spoke in favor of adoption of the amendment to the striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, amendment no. 853 by Senator King on page 10, line 32 to striking amendment no. 803 was withdrawn.

MOTION

Senator Fortunato moved that the following amendment no. 860 by Senator Fortunato be adopted:

On page 10, after line 32, insert the following:

"(4) Notices of infraction for automated traffic safety camera-detected speed violations may not be issued to the registered vehicle owner of:

(a) A law enforcement or marked fire department vehicle equipped with emergency lights and siren; or

(b) An ambulance licensed by the department of health and equipped with emergency lights and siren."

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Fortunato and without objection, amendment no. 860 by Senator Fortunato on page 10, line 32 to striking amendment no. 803 was withdrawn.

MOTION

Senator Liias moved that the following amendment no. 868 by Senators Liias, Fortunato and Van De Wege be adopted:

On page 10, after line 32, insert the following:

"(4) Notices of infraction for automated traffic safety camera-detected speed violations may not be issued to the registered vehicle owner of:

(a) A marked fire engine equipped with emergency lights and siren; or

(b) An ambulance licensed by the department of health and equipped with emergency lights and siren."

Senator Liias spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 868 by Senators Liias, Fortunato and Van De Wege on page 10, after line 32 to striking amendment no. 803.

The motion by Senator Liias carried and amendment no. 868 was adopted by voice vote.

MOTION

Senator King moved that the following amendment no. 854 by Senator King be adopted:

On page 11, after line 27, insert the following:

"(c) Use of automated traffic safety cameras to detect violations described under (a)(ii) of this subsection is restricted to no more than 30 intersections most likely to address prioritized traffic safety concerns related to such violations as determined by the jurisdiction."

Senator King spoke in favor of adoption of the amendment to the striking amendment.

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 WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, amendment no. 854 by Senator King on page 11, line 27 to striking amendment no. 803 was withdrawn.

MOTION

Senator Wilson, J. moved that the following amendment no. 856 by Senator Wilson, J. be adopted:

Beginning on page 13, line 19, strike all of sections 8 and 9
 Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 19, at the beginning of line 3, strike "46.63.030, 46.63.180,"

Senator Wilson, J. spoke in favor of adoption of the amendment to the striking amendment.

Senator Liias spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 856 by Senator Wilson, J. on page 13, line 19 to striking amendment no. 803.

The motion by Senator Wilson, J. did not carry and amendment no. 856 was not adopted by voice vote.

Senator Liias spoke in favor of adoption of the striking amendment as amended.

The President declared the question before the Senate to be the adoption of striking amendment no. 803 by Senator Liias as amended to Engrossed Substitute House Bill No. 2384.

The motion by Senator Liias carried and striking amendment no. 803 as amended was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute House Bill No. 2384 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

Senators King, Muzzall and Holy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2384 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2384 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hasegawa, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representative Goodman)

Concerning impaired driving.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Transportation be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 9.94A RCW to read as follows:

(1) An offender is eligible for the special drug offender sentencing alternative for driving under the influence if the offender:

(a) Does not have a prior conviction under RCW 46.61.520, 46.61.522, 46.61.502(6), or 46.61.504(6); and either

(b) Is convicted of felony driving while under the influence of intoxicating liquor, cannabis, or any drug under RCW 46.61.502(6)(a); or

(c) Is convicted of felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6)(a).

(2) A motion for a special drug offender sentencing alternative for driving under the influence may be made by the court, the offender, or the state if the midpoint of the standard sentence range is 26 months or less. If an offender has a higher midpoint, a motion for a special drug offender sentencing alternative for driving under the influence can only be made by joint agreement of the state and offender.

(3) If the sentencing court determines that the offender is eligible for an alternative sentence under this section and that the alternative sentence is appropriate, the court shall waive imposition of a sentence within the standard sentence range and:

(a) Impose a sentence equivalent to a prison-based alternative under RCW 9.94A.662, and subject to the same requirements and restrictions as are established in that section, if the low end of the standard sentence range is greater than 24 months; or

(b) Impose a sentence consisting of a residential treatment-based alternative consistent with this section if the low end of the standard sentence range is 24 months or less.

(4)(a) To assist the court in making its determination, the court may order the department to complete either a risk assessment report or a substance use disorder screening report as provided in RCW 9.94A.500, or both.

(b) If the court is considering imposing a sentence under the residential substance use disorder treatment-based alternative, the court may order an examination of the offender by the department. The examination shall, at a minimum, address the following issues:

(i) Whether the offender suffers from a substance use disorder;

(ii) Whether effective treatment for the offender's substance use disorder is available from a provider that has been licensed or certified by the department of health; and

(iii) Whether the offender and the community will benefit from the use of the alternative.

(5) An offender who is eligible for a residential treatment-based alternative under this section shall be sentenced as follows:

(a) If necessary, an indeterminate term of confinement of no more than 30 days in a facility operated, licensed, or utilized under contract, by the county in order to facilitate direct transfer to a residential substance use disorder treatment facility;

(b) Treatment in a residential substance use disorder treatment program licensed or certified by the department of health for a period set by the court up to six months with treatment completion and continued care delivered in accordance with rules established by the department of health. In establishing rules pursuant to this subsection, the department of health must consider criteria established by the American society of addiction medicine;

(c) Twenty-four months of partial confinement to consist of 12 months work release followed by 12 months of home detention with electronic monitoring; and

(d) Twelve months of community custody.

(6)(a) During any period of partial confinement or community custody, the court shall impose treatment and other conditions as provided in RCW 9.94A.703 or as the court considers appropriate.

(b) The department may impose conditions and sanctions as authorized in RCW 9.94A.704 and 9.94A.737.

(c) The department shall, within available resources, make substance use disorder assessment and treatment services available to the offender.

(d) An offender sentenced to community custody under subsection (3)(a) of this section as part of the prison-based alternative or under subsection (3)(b) of this section as part of the residential treatment-based alternative may be required to pay \$30 per month while on community custody to offset the cost of monitoring for alcohol or controlled substances.

(7)(a) If the court imposes a sentence under subsection (3)(b) of this section, the treatment provider must send the treatment plan to the court within 30 days of the offender's arrival to the residential substance use disorder treatment program.

(b) Upon receipt of the plan, the court shall schedule a progress hearing during the period of treatment and schedule a treatment termination hearing for three months before the expiration of the term of community custody.

(c) Before the progress hearing and treatment termination hearing, the treatment provider and the department shall submit written reports to the court and parties regarding the offender's compliance with treatment and monitoring requirements and recommendations regarding termination from treatment.

(8) At a progress hearing or treatment termination hearing, the court may:

(a) Authorize the department to terminate the offender's community custody status on the expiration date determined under subsection (7) of this section;

(b) Continue the hearing to a date before the expiration date of community custody, with or without modifying the conditions of partial confinement or community custody; or

(c) Impose a term of total confinement equal to one-half the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

(9)(a) The court may bring any offender sentenced under subsection (3)(a) or (b) of this section back into court at any time on its own initiative to evaluate the offender's progress in treatment or to determine if any violations of the conditions of the sentence have occurred.

(b) If the offender is brought back to court, the court may modify the conditions of partial confinement or community

custody or order the offender to serve a term of total confinement within the standard sentence range of the offender's current offense at any time during the period of partial confinement or community custody if the offender violates the conditions or requirements of the sentence or if the offender is failing to make satisfactory progress in treatment.

(c) An offender ordered to serve a term of total confinement under (b) of this subsection shall receive credit for any time previously served in total confinement or residential treatment under this section and shall receive 50 percent credit for any time previously served in partial confinement or community custody under this section.

(10) In serving a term of community custody imposed upon failure to complete, or administrative termination from, the special drug offender sentencing alternative program for driving under the influence under this section, the offender shall receive no credit for time served in community custody prior to termination of the offender's participation in the program.

(11) An offender sentenced under this section shall be subject to all rules relating to earned release time with respect to any period served in total or partial confinement.

(12) Costs of examinations and preparing the recommended service delivery plans under a special drug offender sentencing alternative for driving under the influence may be paid, at the option of the county, from funds provided to the county from the criminal justice treatment account under RCW 71.24.580.

Sec. 2. RCW 9.94A.030 and 2022 c 231 s 11 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within 880 feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively

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to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere, and any issued certificates of restoration of opportunity pursuant to RCW 9.97.020.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon. However, when a defendant is charged with a recidivist offense, "criminal history" includes a vacated prior conviction for the sole purpose of establishing that such vacated prior conviction constitutes an element of the present recidivist offense as provided in RCW 9.94A.640(4)(b) and 9.96.060(7)(c).

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor

(RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20)(a) "Domestic violence" has the same meaning as defined in RCW 10.99.020.

(b) "Domestic violence" also means: (i) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one intimate partner by another intimate partner as defined in RCW 10.99.020; or (ii) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one family or household member by another family or household member as defined in RCW 10.99.020.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense who are eligible for the option under RCW 9.94A.660.

(22) "Drug offender sentencing alternative for driving under the influence" is a sentencing option available to persons convicted of felony driving while under the influence of intoxicating liquor or any drug under RCW 46.61.502(6), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6) who are eligible under section 1 of this act.

(23) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

~~((23))~~ (24) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

~~((24))~~ (25) "Electronic monitoring" means tracking the location of an individual through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location and which may also include electronic monitoring with victim notification technology that is capable of notifying a victim or protected party, either directly or through a monitoring agency, if the monitored individual enters within the restricted distance of a victim or protected party, or within the restricted distance of a designated location.

~~((25))~~ (26) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

~~((26))~~ (27) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

~~((27))~~ (28) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

~~((28))~~ (29) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

~~((29))~~ (30) "Home detention" is a subset of electronic monitoring and means a program of partial confinement available to offenders wherein the offender is confined in a private residence 24 hours a day, unless an absence from the residence is approved, authorized, or otherwise permitted in the order by the court or other supervising agency that ordered home detention, and the offender is subject to electronic monitoring.

~~((30))~~ (31) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

~~((31))~~ (32) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

~~((32))~~ (33) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age 14;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Sexual exploitation;

(p) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(q) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(r) Any other class B felony offense with a finding of sexual motivation;

(s) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(t) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(u)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of 14; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through

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July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(v) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was 10 years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

~~((33))~~ (34) "Nonviolent offense" means an offense which is not a violent offense.

~~((34))~~ (35) "Offender" means a person who has committed a felony established by state law and is 18 years of age or older or is less than 18 years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanor or gross misdemeanor probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

~~((35))~~ (36) "Partial confinement" means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention, electronic monitoring, or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program or the graduated reentry program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release, home detention, work crew, electronic monitoring, and a combination of work crew, electronic monitoring, and home detention.

~~((36))~~ (37) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9A.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Hate Crime (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person 18 years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

~~((37))~~ (38) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection ~~((37))~~ (38)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was 16 years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was 18 years of age or older when the offender committed the offense.

~~((38))~~ (39) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a

participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

~~((39))~~ (40) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

~~((40))~~ (41) "Public school" has the same meaning as in RCW 28A.150.010.

~~((41))~~ (42) "Recidivist offense" means a felony offense where a prior conviction of the same offense or other specified offense is an element of the crime including, but not limited to:

(a) Assault in the fourth degree where domestic violence is pleaded and proven, RCW 9A.36.041(3);

(b) Cyber harassment, RCW 9A.90.120(2)(b)(i);

(c) Harassment, RCW 9A.46.020(2)(b)(i);

(d) Indecent exposure, RCW 9A.88.010(2)(c);

(e) Stalking, RCW 9A.46.110(5)(b) (i) and (iii);

(f) Telephone harassment, RCW 9.61.230(2)(a); and

(g) Violation of a no-contact or protection order, RCW 7.105.450 or former RCW 26.50.110(5).

~~((42))~~ (43) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.26A, or 26.26B RCW or former chapter 26.50 RCW, or violation of a domestic violence protection order under chapter 7.105 RCW, that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

~~((43))~~ (44) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

~~((44))~~ (45) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

~~((45))~~ (46) "Serious traffic offense" means:

(a)(i) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502)(~~(-nonfelony)~~);

(ii) Nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504)(~~(-reckless)~~);

(iii) Reckless driving (RCW 46.61.500)(~~(-or hit and run)~~);

(iv) Negligent driving if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520

or 46.61.522 while under the influence of intoxicating liquor or any drug (RCW 46.61.5249);

(v) Reckless endangerment if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522 while under the influence of intoxicating liquor or any drug (RCW 9A.36.050); or

(vi) Hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(c) This definition applies for the purpose of a personal driver's license only and does not apply to violations related to a commercial motor vehicle under RCW 46.25.090.

~~((46))~~ (47) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;

(v) Assault in the first degree;

(vi) Kidnapping in the first degree;

(vii) Rape in the first degree;

(viii) Assault of a child in the first degree; or

(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

~~((47))~~ (48) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register as a sex offender) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register as a sex offender) or 9A.44.130 prior to June 10, 2010, on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

~~((48))~~ (49) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

~~((49))~~ (50) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

~~((50))~~ (51) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

~~((51))~~ (52) "Stranger" means that the victim did not know the offender 24 hours before the offense.

~~((52))~~ (53) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or

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utilized under contract by the state or any other unit of government for 24 hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

~~((53))~~ (54) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

~~((54))~~ (55) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

~~((55))~~ (56) "Victim of domestic violence" means an intimate partner or household member who has been subjected to the infliction of physical harm or sexual and psychological abuse by an intimate partner or household member as part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that intimate partner or household member. Domestic violence includes, but is not limited to, the offenses listed in RCW 10.99.020 and 26.50.010 committed by an intimate partner or household member against a victim who is an intimate partner or household member.

~~((56))~~ (57) "Victim of sex trafficking, prostitution, or commercial sexual abuse of a minor" means a person who has been forced or coerced to perform a commercial sex act including, but not limited to, being a victim of offenses defined in RCW 9A.40.100, 9A.88.070, 9.68A.101, and the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq.; or a person who was induced to perform a commercial sex act when they were less than 18 years of age including but not limited to the offenses defined in chapter 9.68A RCW.

~~((57))~~ (58) "Victim of sexual assault" means any person who is a victim of a sexual assault offense, nonconsensual sexual conduct, or nonconsensual sexual penetration and as a result suffers physical, emotional, financial, or psychological impacts. Sexual assault offenses include, but are not limited to, the offenses defined in chapter 9A.44 RCW.

~~((58))~~ (59) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

~~((59))~~ (60) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

~~((60))~~ (61) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

~~((61))~~ (62) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

Sec. 3. RCW 9.94A.190 and 2018 c 166 s 5 are each amended to read as follows:

(1) A sentence that includes a term or terms of confinement totaling more than one year shall be served in a facility or institution operated, or utilized under contract, by the state, or in home detention pursuant to RCW 9.94A.6551 or the graduated reentry program under RCW 9.94A.733. Except as provided in subsection (3) or (5) of this section, a sentence of not more than one year of confinement shall be served in a facility operated, licensed, or utilized under contract, by the county, or if home detention or work crew has been ordered by the court, in the residence of either the offender or a member of the offender's immediate family.

(2) If a county uses a state partial confinement facility for the partial confinement of a person sentenced to confinement for not more than one year, the county shall reimburse the state for the use of the facility as provided in this subsection. The office of financial management shall set the rate of reimbursement based upon the average per diem cost per offender in the facility. The office of financial management shall determine to what extent, if any, reimbursement shall be reduced or eliminated because of funds provided by the legislature to the department for the purpose of covering the cost of county use of state partial confinement facilities. The office of financial management shall reestablish reimbursement rates each even-numbered year.

(3) A person who is sentenced for a felony to a term of not more than one year, and who is committed or returned to incarceration in a state facility on another felony conviction, either under the indeterminate sentencing laws, chapter 9.95 RCW, or under this chapter shall serve all terms of confinement, including a sentence of not more than one year, in a facility or institution operated, or utilized under contract, by the state, consistent with the provisions of RCW 9.94A.589.

(4) Notwithstanding any other provision of this section, a sentence imposed pursuant to RCW 9.94A.660 or section 1 of this act which has a standard sentence range of over one year, regardless of length, shall be served in a facility or institution operated, or utilized under contract, by the state.

(5) Sentences imposed pursuant to RCW 9.94A.507 shall be served in a facility or institution operated, or utilized under contract, by the state.

Sec. 4. RCW 9.94A.501 and 2021 c 242 s 2 are each amended to read as follows:

(1) The department shall supervise the following offenders who are sentenced to probation in superior court, pursuant to RCW 9.92.060, 9.95.204, or 9.95.210:

(a) Offenders convicted of:

(i) Sexual misconduct with a minor second degree;

- (ii) Custodial sexual misconduct second degree;
- (iii) Communication with a minor for immoral purposes; and
- (iv) Violation of RCW 9A.44.132(2) (failure to register); and

(b) Offenders who have:

(i) A current conviction for a repetitive domestic violence offense where domestic violence has been pleaded and proven after August 1, 2011; and

(ii) A prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence has been pleaded and proven after August 1, 2011.

(2) Misdemeanor and gross misdemeanor offenders supervised by the department pursuant to this section shall be placed on community custody.

(3) The department shall supervise every felony offender sentenced to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk assessment classifies the offender as one who is at a high risk to reoffend.

(4) Notwithstanding any other provision of this section, the department shall supervise an offender sentenced to community custody regardless of risk classification if the offender:

(a) Has a current conviction for a sex offense or a serious violent offense and was sentenced to a term of community custody pursuant to RCW 9.94A.701, 9.94A.702, or 9.94A.507;

(b) Has been identified by the department as a dangerous mentally ill offender pursuant to RCW 72.09.370;

(c) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017;

(d) Has a current conviction for violating RCW 9A.44.132(1) (failure to register) and was sentenced to a term of community custody pursuant to RCW 9.94A.701;

(e)(i) Has a current conviction for a domestic violence felony offense where domestic violence has been pleaded and proven after August 1, 2011, and a prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence was pleaded and proven after August 1, 2011. This subsection (4)(e)(i) applies only to offenses committed prior to July 24, 2015;

(ii) Has a current conviction for a domestic violence felony offense where domestic violence was pleaded and proven. The state and its officers, agents, and employees shall not be held criminally or civilly liable for its supervision of an offender under this subsection (4)(e)(ii) unless the state and its officers, agents, and employees acted with gross negligence;

(f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, 9.94A.670, 9.94A.711, ~~((*)~~) 9.94A.695, or section 1 of this act;

(g) Is subject to supervision pursuant to RCW 9.94A.745; or

(h) Was convicted and sentenced under RCW 46.61.520 (vehicular homicide), RCW 46.61.522 (vehicular assault), RCW 46.61.502(6) (felony DUI), or RCW 46.61.504(6) (felony physical control).

(5) The department shall supervise any offender who is released by the indeterminate sentence review board and who was sentenced to community custody or subject to community custody under the terms of release.

(6) The department is not authorized to, and may not, supervise any offender sentenced to a term of community custody or any probationer unless the offender or probationer is one for whom supervision is required under this section or RCW 9.94A.5011.

(7) The department shall conduct a risk assessment for every felony offender sentenced to a term of community custody who may be subject to supervision under this section or RCW 9.94A.5011.

(8) The period of time the department is authorized to supervise an offender under this section may not exceed the

duration of community custody specified under RCW 9.94B.050, 9.94A.701 (1) through (9), or 9.94A.702, except in cases where the court has imposed an exceptional term of community custody under RCW 9.94A.535.

(9) The period of time the department is authorized to supervise an offender under this section may be reduced by the earned award of supervision compliance credit pursuant to RCW 9.94A.717.

Sec. 5. RCW 9.94A.505 and 2022 c 260 s 23 are each amended to read as follows:

(1) When a person is convicted of a felony, the court shall impose punishment as provided in this chapter.

(2)(a) The court shall impose a sentence as provided in the following sections and as applicable in the case:

(i) Unless another term of confinement applies, a sentence within the standard sentence range established in RCW 9.94A.510 or 9.94A.517;

(ii) RCW 9.94A.701 and 9.94A.702, relating to community custody;

(iii) RCW 9.94A.570, relating to persistent offenders;

(iv) RCW 9.94A.540, relating to mandatory minimum terms;

(v) RCW 9.94A.650, relating to the first-time offender waiver;

(vi) RCW 9.94A.660, relating to the drug offender sentencing alternative;

(vii) Section 1 of this act, relating to the drug offender sentencing alternative for driving under the influence;

~~(viii)~~ RCW 9.94A.670, relating to the special sex offender sentencing alternative;

~~((viii))~~ ~~(ix)~~ RCW 9.94A.655, relating to the parenting sentencing alternative;

~~((ix))~~ ~~(x)~~ RCW 9.94A.695, relating to the mental health sentencing alternative;

~~((x))~~ ~~(xi)~~ RCW 9.94A.507, relating to certain sex offenses;

~~((xi))~~ ~~(xii)~~ RCW 9.94A.535, relating to exceptional sentences;

~~((xii))~~ ~~(xiii)~~ RCW 9.94A.589, relating to consecutive and concurrent sentences;

~~((xiii))~~ ~~(xiv)~~ RCW 9.94A.603, relating to felony driving while under the influence of intoxicating liquor or any drug and felony physical control of a vehicle while under the influence of intoxicating liquor or any drug;

~~((xiv))~~ ~~(xv)~~ RCW 9.94A.711, relating to the theft or taking of a motor vehicle.

(b) If a standard sentence range has not been established for the offender's crime, the court shall impose a determinate sentence which may include not more than one year of confinement; community restitution work; a term of community custody under RCW 9.94A.702 not to exceed one year; and/or other legal financial obligations. The court may impose a sentence which provides more than one year of confinement and a community custody term under RCW 9.94A.701 if the court finds reasons justifying an exceptional sentence as provided in RCW 9.94A.535.

(3) If the court imposes a sentence requiring confinement of 30 days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than 30 days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(4) If a sentence imposed includes payment of a legal financial obligation, it shall be imposed as provided in RCW 9.94A.750, 9.94A.753, and 9.94A.760.

(5) Except as provided under RCW 9.94A.750(4) and 9.94A.753(4), a court may not impose a sentence providing for a term of confinement or community custody that exceeds the

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statutory maximum for the crime as provided in chapter 9A.20 RCW.

(6) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(7) The sentencing court shall not give the offender credit for any time the offender was required to comply with an electronic monitoring program prior to sentencing if the offender was convicted of one of the following offenses:

- (a) A violent offense;
- (b) Any sex offense;
- (c) Any drug offense;
- (d) Reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050;
- (e) Assault in the third degree as defined in RCW 9A.36.031;
- (f) Assault of a child in the third degree;
- (g) Unlawful imprisonment as defined in RCW 9A.40.040; or
- (h) Harassment as defined in RCW 9A.46.020.

(8) The court shall order restitution as provided in RCW 9.94A.750 and 9.94A.753.

(9) As a part of any sentence, the court may impose and enforce crime-related prohibitions and affirmative conditions as provided in this chapter. "Crime-related prohibitions" may include a prohibition on the use or possession of alcohol or controlled substances if the court finds that any chemical dependency or substance abuse contributed to the offense.

(10) In any sentence of partial confinement, the court may require the offender to serve the partial confinement in work release, in a program of home detention, on work crew, or in a combined program of work crew and home detention.

Sec. 6. RCW 9.94A.525 and 2023 c 415 s 2 are each amended to read as follows:

The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules are as follows:

The offender score is the sum of points accrued under this section rounded down to the nearest whole number.

(1)(a) A prior conviction is a conviction which exists before the date of sentencing for the offense for which the offender score is being computed. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed shall be deemed "other current offenses" within the meaning of RCW 9.94A.589.

(b) For the purposes of this section, adjudications of guilt pursuant to Title 13 RCW which are not murder in the first or second degree or class A felony sex offenses may not be included in the offender score.

(2)(a) Class A and sex prior felony convictions shall always be included in the offender score.

(b) Class B prior felony convictions other than sex offenses shall not be included in the offender score, if since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent ~~((ten))~~ 10 consecutive years in the community without committing any crime that subsequently results in a conviction.

(c) Except as provided in (e) of this subsection, class C prior felony convictions other than sex offenses shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent five consecutive years in the community without committing any crime that subsequently results in a conviction.

(d) Except as provided in (e) of this subsection, serious traffic convictions shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a conviction, if any, or entry of judgment and sentence, the offender spent five years in the community without committing any crime that subsequently results in a conviction.

(e) If the present conviction is felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)), all predicate crimes for the offense as defined by RCW 46.61.5055(14) shall be included in the offender score, and prior convictions for felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)) shall always be included in the offender score. All other convictions of the defendant shall be scored according to this section.

(f) Prior convictions for a repetitive domestic violence offense, as defined in RCW 9.94A.030, shall not be included in the offender score if, since the last date of release from confinement or entry of judgment and sentence, the offender had spent ~~((ten))~~ 10 consecutive years in the community without committing any crime that subsequently results in a conviction.

(g) This subsection applies to both prior adult convictions and prior juvenile adjudications.

(3) Out-of-state convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law. Federal convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law. Neither out-of-state or federal convictions which would have been presumptively adjudicated in juvenile court under Washington law may be included in the offender score unless they are comparable to murder in the first or second degree or a class A felony sex offense. If there is no clearly comparable offense under Washington law or the offense is one that is usually considered subject to exclusive federal jurisdiction, the offense shall be scored as a class C felony equivalent if it was a felony under the relevant federal statute.

(4) Score prior convictions for felony anticipatory offenses (attempts, criminal solicitations, and criminal conspiracies) the same as if they were convictions for completed offenses.

(5)(a) In the case of multiple prior convictions, for the purpose of computing the offender score, count all convictions separately, except:

(i) Prior offenses which were found, under RCW 9.94A.589(1)(a), to encompass the same criminal conduct, shall be counted as one offense, the offense that yields the highest offender score. The current sentencing court shall determine with respect to other prior adult offenses for which sentences were served concurrently or prior juvenile offenses for which sentences were served consecutively, whether those offenses shall be counted as one offense or as separate offenses using the "same criminal conduct" analysis found in RCW 9.94A.589(1)(a), and if the court finds that they shall be counted as one offense, then the offense that yields the highest offender score shall be used. The current sentencing court may presume that such other prior offenses were not the same criminal conduct from sentences imposed on separate dates, or in separate counties or jurisdictions, or in separate complaints, indictments, or informations;

(ii) In the case of multiple prior convictions for offenses committed before July 1, 1986, for the purpose of computing the offender score, count all convictions or adjudications served

concurrently as one offense. Use the conviction for the offense that yields the highest offender score.

(b) As used in this subsection (5), "served concurrently" means that: (i) The latter sentence was imposed with specific reference to the former; (ii) the concurrent relationship of the sentences was judicially imposed; and (iii) the concurrent timing of the sentences was not the result of a probation or parole revocation on the former offense.

(6) If the present conviction is one of the anticipatory offenses of criminal attempt, solicitation, or conspiracy, count each prior conviction as if the present conviction were for a completed offense. When these convictions are used as criminal history, score them the same as a completed crime.

(7) If the present conviction is for a nonviolent offense and not covered by subsection (11), (12), or (13) of this section, count one point for each adult prior felony conviction and one point for each juvenile prior violent felony conviction which is scorable under subsection (1)(b) of this section.

(8) If the present conviction is for a violent offense and not covered in subsection (9), (10), (11), (12), or (13) of this section, count two points for each prior adult violent felony conviction and juvenile violent felony conviction which is scorable under subsection (1)(b) of this section, and one point for each prior adult nonviolent felony conviction.

(9) If the present conviction is for a serious violent offense, count three points for prior adult convictions and juvenile convictions which are scorable under subsection (1)(b) of this section for crimes in this category, two points for each prior adult and scorable juvenile violent conviction (not already counted), and one point for each prior adult nonviolent felony conviction.

(10) If the present conviction is for Burglary 1, count prior convictions as in subsection (8) of this section; however count two points for each prior Burglary 2 or residential burglary conviction.

(11) If the present conviction is for a felony traffic offense count two points for each prior conviction for Vehicular Homicide or Vehicular Assault; for each felony offense count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which is scorable under subsection (1)(b) of this section; for each serious traffic offense, other than those used for an enhancement pursuant to RCW 46.61.520(2), count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which is scorable under subsection (1)(b) of this section; count one point for each adult prior conviction for operation of a vessel while under the influence of intoxicating liquor or any drug; count one point for a deferred prosecution granted under chapter 10.05 RCW for a second or subsequent violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance.

(12) If the present conviction is for homicide by watercraft or assault by watercraft count two points for each adult prior conviction for homicide by watercraft or assault by watercraft; for each felony offense count one point for each adult prior conviction and 1/2 point for each juvenile prior conviction which would be scorable under subsection (1)(b) of this section; count one point for each adult prior conviction for driving under the influence of intoxicating liquor or any drug, actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, or operation of a vessel while under the influence of intoxicating liquor or any drug.

(13) If the present conviction is for manufacture of methamphetamine count three points for each adult prior manufacture of methamphetamine conviction. If the present conviction is for a drug offense and the offender has a criminal history that includes a sex offense or serious violent offense,

count three points for each adult prior felony drug offense conviction. All other felonies are scored as in subsection (8) of this section if the current drug offense is violent, or as in subsection (7) of this section if the current drug offense is nonviolent.

(14) If the present conviction is for Escape from Community Custody, RCW 72.09.310, count only adult prior escape convictions in the offender score. Count prior escape convictions as one point.

(15) If the present conviction is for Escape 1, RCW 9A.76.110, or Escape 2, RCW 9A.76.120, count adult prior convictions as one point and juvenile prior convictions which are scorable under subsection (1)(b) of this section as 1/2 point.

(16) If the present conviction is for Burglary 2 or residential burglary, count priors as in subsection (7) of this section; however, count two points for each prior Burglary 1 conviction, and two points for each prior Burglary 2 or residential burglary conviction.

(17) If the present conviction is for a sex offense, count priors as in subsections (7) through (11) and (13) through (16) of this section; however, count three points for each adult prior sex offense conviction and juvenile prior class A felony sex offense adjudication.

(18) If the present conviction is for failure to register as a sex offender under RCW 9A.44.130 or 9A.44.132, count priors as in subsections (7) through (11) and (13) through (16) of this section; however, count three points for each adult prior sex offense conviction and juvenile prior sex offense conviction which is scorable under subsection (1)(b) of this section, excluding adult prior convictions for failure to register as a sex offender under RCW 9A.44.130 or 9A.44.132, which shall count as one point.

(19) If the present conviction is for an offense committed while the offender was under community custody, add one point. For purposes of this subsection, community custody includes community placement or postrelease supervision, as defined in chapter 9.94B RCW.

(20) If the present conviction is for Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, or Taking a Motor Vehicle Without Permission 2, count priors as in subsections (7) through (18) of this section; however count one point for prior convictions of Vehicle Prowling 2, and three points for each adult prior Theft 1 (of a motor vehicle), Theft 2 (of a motor vehicle), Possession of Stolen Property 1 (of a motor vehicle), Possession of Stolen Property 2 (of a motor vehicle), Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, or Taking a Motor Vehicle Without Permission 2 conviction.

(21) If the present conviction is for a felony domestic violence offense where domestic violence as defined in RCW 9.94A.030 was pleaded and proven, count priors as in subsections (7) through (20) of this section; however, count points as follows:

(a) Count two points for each adult prior conviction where domestic violence as defined in RCW 9.94A.030 was pleaded and proven after August 1, 2011, for any of the following offenses: A felony violation of a no-contact or protection order (RCW 7.105.450 or former RCW 26.50.110), felony Harassment (RCW 9A.46.020(2)(b)), felony Stalking (RCW 9A.46.110(5)(b)), Burglary 1 (RCW 9A.52.020), Kidnapping 1 (RCW 9A.40.020), Kidnapping 2 (RCW 9A.40.030), Unlawful imprisonment (RCW 9A.40.040), Robbery 1 (RCW 9A.56.200), Robbery 2 (RCW 9A.56.210), Assault 1 (RCW 9A.36.011), Assault 2 (RCW 9A.36.021), Assault 3 (RCW 9A.36.031), Arson 1 (RCW 9A.48.020), or Arson 2 (RCW 9A.48.030);

(b) Count two points for each adult prior conviction where domestic violence as defined in RCW 9.94A.030 was pleaded and

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proven after July 23, 2017, for any of the following offenses: Assault of a child in the first degree, RCW 9A.36.120; Assault of a child in the second degree, RCW 9A.36.130; Assault of a child in the third degree, RCW 9A.36.140; Criminal Mistreatment in the first degree, RCW 9A.42.020; or Criminal Mistreatment in the second degree, RCW 9A.42.030; and

(c) Count one point for each adult prior conviction for a repetitive domestic violence offense as defined in RCW 9.94A.030, where domestic violence as defined in RCW 9.94A.030, was pleaded and proven after August 1, 2011.

(2) The fact that a prior conviction was not included in an offender's offender score or criminal history at a previous sentencing shall have no bearing on whether it is included in the criminal history or offender score for the current offense. Prior convictions that were not counted in the offender score or included in criminal history under repealed or previous versions of the sentencing reform act shall be included in criminal history and shall count in the offender score if the current version of the sentencing reform act requires including or counting those convictions. Prior convictions that were not included in criminal history or in the offender score shall be included upon any resentencing to ensure imposition of an accurate sentence.

Sec. 7. RCW 9.94A.633 and 2021 c 242 s 4 are each amended to read as follows:

(1)(a) An offender who violates any condition or requirement of a sentence may be sanctioned by the court with up to ~~((sixty))~~ 60 days' confinement for each violation or by the department with up to ~~((thirty))~~ 30 days' confinement as provided in RCW 9.94A.737.

(b) In lieu of confinement, an offender may be sanctioned with work release, home detention with electronic monitoring, work crew, community restitution, inpatient treatment, daily reporting, curfew, educational or counseling sessions, supervision enhanced through electronic monitoring, or any other community-based sanctions.

(2) If an offender was under community custody pursuant to one of the following statutes, the offender may be sanctioned as follows:

(a) If the offender was transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.728, the offender may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(b) If the offender was sentenced under the drug offender sentencing alternative set out in RCW 9.94A.660, the offender may be sanctioned in accordance with that section.

(c) If the offender was sentenced under the drug offender sentencing alternative for driving under the influence set out in section 1 of this act, the offender may be sanctioned in accordance with that section.

(d) If the offender was sentenced under the parenting sentencing alternative set out in RCW 9.94A.655, the offender may be sanctioned in accordance with that section.

~~((e))~~ (e) If the offender was sentenced under the special sex offender sentencing alternative set out in RCW 9.94A.670, the suspended sentence may be revoked and the offender committed to serve the original sentence of confinement.

~~((e))~~ (f) If the offender was sentenced under the mental health sentencing alternative set out in RCW 9.94A.695, the offender may be sanctioned in accordance with that section.

~~((f))~~ (g) If the offender was sentenced to a work ethic camp pursuant to RCW 9.94A.690, the offender may be reclassified to serve the unexpired term of his or her sentence in total confinement.

~~((g))~~ (h) If a sex offender was sentenced pursuant to RCW 9.94A.507, the offender may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(3) If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, the probationer may be sanctioned pursuant to subsection (1) of this section. The department shall have authority to issue a warrant for the arrest of an offender who violates a condition of community custody, as provided in RCW 9.94A.716. Any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. Nothing in this subsection is intended to limit the power of the sentencing court to respond to a probationer's violation of conditions.

(4) The parole or probation of an offender who is charged with a new felony offense may be suspended and the offender placed in total confinement pending disposition of the new criminal charges if:

(a) The offender is on parole pursuant to RCW 9.95.110(1); or

(b) The offender is being supervised pursuant to RCW 9.94A.745 and is on parole or probation pursuant to the laws of another state.

Sec. 8. RCW 9.94A.6332 and 2021 c 242 s 5 are each amended to read as follows:

The procedure for imposing sanctions for violations of sentence conditions or requirements is as follows:

(1) If the offender was sentenced under the drug offender sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW 9.94A.660.

(2) If the offender was sentenced under the drug offender sentencing alternative for driving under the influence, any sanctions shall be imposed by the department or the court pursuant to section 1 of this act.

(3) If the offender was sentenced under the special sex offender sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW 9.94A.670.

~~((3))~~ (4) If the offender was sentenced under the parenting sentencing alternative, any sanctions shall be imposed by the department or by the court pursuant to RCW 9.94A.655.

~~((4))~~ (5) If the offender was sentenced under the mental health sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW 9.94A.695.

~~((5))~~ (6) If a sex offender was sentenced pursuant to RCW 9.94A.507, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((6))~~ (7) If the offender was released pursuant to RCW 9.94A.730, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((7))~~ (8) If the offender was sentenced pursuant to RCW 10.95.030~~((3))~~ (2) or 10.95.035, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.

~~((8))~~ (9) In any other case, if the offender is being supervised by the department, any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, upon receipt of a violation hearing report from the department, the court retains any authority that those statutes provide to respond to a probationer's violation of conditions.

~~((9))~~ (10) If the offender is not being supervised by the department, any sanctions shall be imposed by the court pursuant to RCW 9.94A.6333.

Sec. 9. RCW 9.94A.660 and 2021 c 215 s 102 are each amended to read as follows:

(1) An offender is eligible for the special drug offender sentencing alternative if:

(a) The offender is convicted of a felony that is not a violent offense and the violation does not involve a sentence enhancement under RCW 9.94A.533 (3) or (4);

(b) The offender is convicted of a felony that is not a felony driving while under the influence of intoxicating liquor or any drug under RCW 46.61.502(6) or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug under RCW 46.61.504(6);

(c) The offender has no current or prior convictions for a sex offense for which the offender is currently or may be required to register pursuant to RCW 9A.44.130;

(d) The offender has no prior convictions in this state, and no prior convictions for an equivalent out-of-state or federal offense, for the following offenses during the following time frames:

(i) Robbery in the second degree that did not involve the use of a firearm and was not reduced from robbery in the first degree within seven years before conviction of the current offense; or

(ii) Any other violent offense within ~~((ten))~~ 10 years before conviction of the current offense;

(e) For a violation of the uniform controlled substances act under chapter 69.50 RCW or a criminal solicitation to commit such a violation under chapter 9A.28 RCW, the offense involved only a small quantity of the particular controlled substance as determined by the judge upon consideration of such factors as the weight, purity, packaging, sale price, and street value of the controlled substance;

(f) The offender has not been found by the United States attorney general to be subject to a deportation detainer or order and does not become subject to a deportation order during the period of the sentence; and

(g) The offender has not received a drug offender sentencing alternative under this section, or a drug offender sentencing alternative for driving under the influence under section 1 of this act, more than once in the prior ~~((ten))~~ 10 years before the current offense.

(2) A motion for a special drug offender sentencing alternative may be made by the court, the offender, or the state.

(3) If the sentencing court determines that the offender is eligible for an alternative sentence under this section and that the alternative sentence is appropriate, the court shall waive imposition of a sentence within the standard sentence range and impose a sentence consisting of either a prison-based alternative under RCW 9.94A.662 or a residential substance use disorder treatment-based alternative under RCW 9.94A.664. The residential substance use disorder treatment-based alternative is only available if the midpoint of the standard sentence range is ~~((twenty-six))~~ 26 months or less.

(4)(a) To assist the court in making its determination, the court may order the department to complete either or both a risk assessment report and a substance use disorder screening report as provided in RCW 9.94A.500.

(b) To assist the court in making its determination in domestic violence cases, the court shall order the department to complete a presentence investigation and a chemical dependency screening report as provided in RCW 9.94A.500, unless otherwise specifically waived by the court.

(5) If the court is considering imposing a sentence under the residential substance use disorder treatment-based alternative, the court may order an examination of the offender by the department. The examination must be performed by an agency licensed or certified by the department of health to provide substance use disorder services. The examination shall, at a minimum, address the following issues:

(a) Whether the offender suffers from a substance use disorder;

(b) ~~((Whether the substance use disorder is such that there is a probability that criminal behavior will occur in the future;~~

~~((e)))~~ Whether effective treatment for the offender's substance use disorder is available from a provider that has been licensed or certified by the department of health, and where applicable, whether effective domestic violence perpetrator treatment is available from a state-certified domestic violence treatment provider pursuant to RCW 43.20A.735; and

~~((c)))~~ (c) Whether the offender and the community will benefit from the use of the alternative.

(6) When a court imposes a sentence of community custody under this section:

(a) The court may impose conditions as provided in RCW 9.94A.703 and may impose other affirmative conditions as the court considers appropriate. In addition, an offender may be required to pay ~~((thirty dollars))~~ \$30 per month while on community custody to offset the cost of monitoring for alcohol or controlled substances, or in cases of domestic violence for monitoring with global positioning system technology for compliance with a no-contact order.

(b) The department may impose conditions and sanctions as authorized in RCW 9.94A.704 and 9.94A.737.

(7)(a) The court may bring any offender sentenced under this section back into court at any time on its own initiative to evaluate the offender's progress in treatment or to determine if any violations of the conditions of the sentence have occurred.

(b) If the offender is brought back to court, the court may modify the conditions of the community custody or impose sanctions under (c) of this subsection.

(c) The court may order the offender to serve a term of total confinement within the standard sentence range of the offender's current offense at any time during the period of community custody if the offender violates the conditions or requirements of the sentence or if the offender is failing to make satisfactory progress in treatment.

(d) An offender ordered to serve a term of total confinement under (c) of this subsection shall receive credit for time previously served in total or partial confinement and inpatient treatment under this section, and shall receive ~~((fifty))~~ 50 percent credit for time previously served in community custody under this section.

(8) In serving a term of community custody imposed upon failure to complete, or administrative termination from, the special drug offender sentencing alternative program, the offender shall receive no credit for time served in community custody prior to termination of the offender's participation in the program.

(9) An offender sentenced under this section shall be subject to all rules relating to earned release time with respect to any period served in total confinement.

(10) The Washington state institute for public policy shall submit a report to the governor and the appropriate committees of the legislature by November 1, 2022, analyzing the effectiveness of the drug offender sentencing alternative in reducing recidivism among various offender populations. An additional report is due November 1, 2028, and every five years thereafter. The Washington state institute for public policy may coordinate with the department and the caseload forecast council in tracking data and preparing the report.

Sec. 10. RCW 9.94A.701 and 2021 c 242 s 6 are each amended to read as follows:

(1) If an offender is sentenced to the custody of the department for one of the following crimes, the court shall, in addition to the other terms of the sentence, sentence the offender to community custody for three years:

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- (a) A sex offense not sentenced under RCW 9.94A.507; or
- (b) A serious violent offense.

(2) A court shall, in addition to the other terms of the sentence, sentence an offender to community custody for ~~((eighteen))~~ 18 months when the court sentences the person to the custody of the department for a violent offense that is not considered a serious violent offense.

(3) A court shall, in addition to the other terms of the sentence, sentence an offender to community custody for one year when the court sentences the person to the custody of the department for:

- (a) Any crime against persons under RCW 9.94A.411(2);
- (b) An offense involving the unlawful possession of a firearm under RCW 9.41.040, where the offender is a criminal street gang member or associate;
- (c) A felony offense under chapter 69.50 or 69.52 RCW, committed on or after July 1, 2000; or

(d) A felony violation of RCW 9A.44.132(1) (failure to register) that is the offender's first violation for a felony failure to register.

(4) If an offender is sentenced under the drug offender sentencing alternative, the court shall impose community custody as provided in:

(a) RCW 9.94A.660 and 9.94A.662 for a prison-based drug offender sentencing alternative;

(b) RCW 9.94A.660 and 9.94A.664 for a residential-based drug offender sentencing alternative;

(c) RCW 9.94A.662 and section 1(6) of this act for a prison-based drug offender sentencing alternative for driving under the influence; and

(d) Section 1 (5) and (6) of this act for a residential-based drug offender sentencing alternative for driving under the influence.

(5) If an offender is sentenced under the special sex offender sentencing alternative, the court shall impose community custody as provided in RCW 9.94A.670.

(6) If an offender is sentenced to a work ethic camp, the court shall impose community custody as provided in RCW 9.94A.690.

(7) If an offender is sentenced under the parenting sentencing alternative, the court shall impose a term of community custody as provided in RCW 9.94A.655.

(8) If the offender is sentenced under the mental health sentencing alternative, the court shall impose a term of community custody as provided in RCW 9.94A.695.

(9) If a sex offender is sentenced as a nonpersistent offender pursuant to RCW 9.94A.507, the court shall impose community custody as provided in that section.

(10) The term of community custody specified by this section shall be reduced by the court whenever an offender's standard sentence range term of confinement in combination with the term of community custody exceeds the statutory maximum for the crime as provided in RCW 9A.20.021.

Sec. 11. RCW 10.05.010 and 2019 c 263 s 701 are each amended to read as follows:

(1) In a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution ~~((program))~~. The petition shall be filed with the court at least seven days before the date set for trial but, upon a written motion and affidavit establishing good cause for the delay and failure to comply with this section, the court may waive this requirement subject to the defendant's reimbursement to the court of the witness fees and expenses due for subpoenaed witnesses who have appeared on the date set for trial. A person charged with a misdemeanor or gross misdemeanor shall not be eligible for a deferred prosecution unless the court makes specific findings pursuant to RCW 10.05.020.

(2) A person charged with a ~~((traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW, or a misdemeanor or gross misdemeanor domestic violence offense,))~~ violation of RCW 46.61.502 or 46.61.504 shall not be eligible for a deferred prosecution ~~((program))~~ unless the court makes specific findings pursuant to RCW 10.05.020. A person ~~((may not participate in a deferred prosecution program for a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW if he or she has participated in a deferred prosecution program for a prior traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW, and a person may not participate in a deferred prosecution program for a misdemeanor or gross misdemeanor domestic violence offense if he or she has participated in a deferred prosecution program for a prior domestic violence offense))~~ who petitions the court for the deferred prosecution and participates in the deferred prosecution under this chapter for his or her first violation of RCW 46.61.502 or 46.61.504 is eligible to petition the court for a second deferred prosecution for the person's next violation of RCW 46.61.502 or 46.61.504 when the person has no other prior convictions defined as a "prior offense" under RCW 46.61.5055. The person's first deferred prosecution shall not be considered a prior offense for the purpose of granting a second deferred prosecution. Separate offenses committed more than seven days apart may not be consolidated in a single program.

(3) A person charged with a misdemeanor or a gross misdemeanor under chapter 9A.42 RCW shall not be eligible for a deferred prosecution ~~((program))~~ unless the court makes specific findings pursuant to RCW 10.05.020. Such person shall not be eligible for a deferred prosecution ~~((program))~~ more than once.

(4) A person is not eligible for a deferred prosecution ~~((program))~~ if the misdemeanor or gross misdemeanor domestic violence offense was originally charged as a felony offense in superior court.

(5) A person may petition a court for a second deferred prosecution while still under the jurisdiction of a court for the person's first deferred prosecution; however, the first deferred prosecution shall be revoked prior to the entry of the second deferred prosecution.

(6) A person may not be on two deferred prosecutions at the same time unless separate offenses are committed within seven days of each other and the person petitions to consolidate each offense into a single deferred prosecution.

(7) A person charged with a misdemeanor or gross misdemeanor for a violation of RCW 46.61.502 or 46.61.504 who does not participate in a deferred prosecution for his or her first violation of RCW 46.61.502 or 46.61.504 remains eligible to petition the court for a deferred prosecution pursuant to the terms of this section and specific findings made under RCW 10.05.020. Such person shall not be eligible for a deferred prosecution more than once.

Sec. 12. RCW 10.05.015 and 2019 c 263 s 702 are each amended to read as follows:

At the time of arraignment a person charged with a violation of RCW 46.61.502 or 46.61.504 or a misdemeanor or gross misdemeanor domestic violence offense may be given a statement by the court that explains the availability, operation, and effects of the deferred prosecution ~~((program))~~.

Sec. 13. RCW 10.05.020 and 2021 c 215 s 115 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the petitioner shall allege under oath in the petition that the wrongful conduct charged is the result of or caused by substance use disorders or mental ~~((problems))~~ health disorders or domestic

violence behavior problems for which the person is in need of treatment and unless treated the probability of future recurrence is great, along with a statement that the person agrees to pay the cost of a diagnosis and treatment of the alleged problem or problems if financially able to do so. The petition shall also contain a case history and written assessment prepared by an approved ~~((substance use disorder treatment program))~~ behavioral health agency, approved for mental health services or substance use disorder services, as designated in chapter 71.24 RCW ~~((if the petition alleges a substance use disorder, by an approved mental health center if the petition alleges a mental problem;))~~ or by a state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 ~~((if the petition alleges a domestic violence behavior problem))~~.

(2) In the case of a petitioner charged with a misdemeanor or gross misdemeanor under chapter 9A.42 RCW, the petitioner shall allege under oath in the petition that the petitioner is the natural or adoptive parent of the alleged victim; that the wrongful conduct charged is the result of parenting problems for which the petitioner is in need of services; that the petitioner is in need of child welfare services under chapter 74.13 RCW to improve his or her parenting skills in order to better provide his or her child or children with the basic necessities of life; that the petitioner wants to correct his or her conduct to reduce the likelihood of harm to his or her minor children; that in the absence of child welfare services the petitioner may be unable to reduce the likelihood of harm to his or her minor children; and that the petitioner has cooperated with the department of ~~((social and health services))~~ children, youth, and families to develop a plan to receive appropriate child welfare services; along with a statement that the person agrees to pay the cost of the services if he or she is financially able to do so. The petition shall also contain a case history and a written service plan from the department of ~~((social and health services))~~ children, youth, and families.

(3) Before entry of an order deferring prosecution, a petitioner shall be advised of his or her rights as an accused and execute, as a condition of receiving treatment, a statement that contains: (a) An acknowledgment of his or her rights; (b) an acknowledgment and waiver of the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, and the right to a jury trial; (c) a stipulation to the admissibility and sufficiency of the facts contained in the written police report; and (d) an acknowledgment that the statement will be entered and used to support a finding of guilty if the court finds cause to revoke the order granting deferred prosecution. The petitioner shall also be advised that he or she may, if he or she proceeds to trial and is found guilty, be allowed to seek suspension of some or all of the fines and incarceration that may be ordered upon the condition that he or she seek treatment and, further, that he or she may seek treatment from public and private agencies at any time without regard to whether or not he or she is found guilty of the offense charged. He or she shall also be advised that the court will not accept a petition for deferred prosecution from a person who: (i) Sincerely believes that he or she is innocent of the charges; (ii) sincerely believes that he or she does not, in fact, suffer from ~~((alcoholism, drug addiction, mental problems))~~ a substance use disorder, a mental health disorder, or domestic violence behavior problems; or (iii) in the case of a petitioner charged under chapter 9A.42 RCW, sincerely believes that he or she does not need child welfare services.

(4) Before entering an order deferring prosecution, the court shall make specific findings that: (a) The petitioner has stipulated to the admissibility and sufficiency of the facts as contained in the written police report; (b) the petitioner has acknowledged the

admissibility of the stipulated facts in any criminal hearing on the underlying offense or offenses held subsequent to revocation of the order granting deferred prosecution; (c) the petitioner has acknowledged and waived the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in his or her defense, and the right to a jury trial; and (d) the petitioner's statements were made knowingly and voluntarily. Such findings shall be included in the order granting deferred prosecution.

Sec. 14. RCW 10.05.030 and 2023 c 102 s 17 are each amended to read as follows:

The arraignment judge upon consideration of the petition may continue the arraignment and refer such person for a diagnostic investigation and evaluation to:

(1) ~~((An approved substance use disorder treatment program))~~ A state-approved behavioral health agency, approved for substance use disorder services, as designated in chapter 71.24 RCW if the petition alleges a substance use disorder;

(2) ~~((An approved mental health center))~~ A state-approved behavioral health agency, approved for mental health services, as designated in chapter 71.24 RCW, if the petition alleges a mental ~~((problem))~~ health disorder;

(3) The department of ~~((social and health services))~~ children, youth, and families if the petition is brought under RCW 10.05.020(2); or

(4) An approved state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 if the petition alleges a domestic violence behavior problem.

Sec. 15. RCW 10.05.040 and 2018 c 201 s 9005 are each amended to read as follows:

The program to which such person is referred, or the department of ~~((social and health services))~~ children, youth, and families if the petition is brought under RCW 10.05.020(2), shall conduct an investigation and examination to determine:

(1) Whether the person suffers from the problem described;

(2) Whether the problem is such that if not treated, or if no child welfare services are provided, there is a probability that similar misconduct will occur in the future;

(3) Whether extensive and long term treatment is required;

(4) Whether effective treatment or child welfare services for the person's problem are available; and

(5) Whether the person is ~~((amenable))~~: (a) Amenable to treatment as demonstrated by (i) completion of residential treatment; (ii) completion of a minimum of 18 hours of intensive outpatient treatment, for substance use disorder petitions; (iii) completion of a minimum of six mental health sessions, for mental health disorder petitions; or (iv) completion of a minimum of six domestic violence treatment sessions for domestic violence petitions; or (b) willing to cooperate with child welfare services. The requirement for completing a minimum number of sessions may be waived if the court finds good cause.

Sec. 16. RCW 10.05.050 and 2018 c 201 s 9006 are each amended to read as follows:

(1) The program, or the department of ~~((social and health services))~~ children, youth, and families if the petition is brought under RCW 10.05.020(2), shall make a written report to the court stating its findings and recommendations after the examination required by RCW 10.05.040. If its findings and recommendations support treatment or the implementation of a child welfare service plan, it shall also recommend a treatment or service plan setting out:

(a) The type;

(b) Nature;

(c) Length;

(d) A treatment or service time schedule; and

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(e) Approximate cost of the treatment or child welfare services.

(2) In the case of a child welfare service plan, the plan shall be designed in a manner so that a parent who successfully completes the plan will not be likely to withhold the basic necessities of life from his or her child.

(3) The report with the treatment or service plan shall be filed with the court and a copy given to the petitioner and petitioner's counsel. A copy of the treatment or service plan shall be given to the prosecutor by petitioner's counsel at the request of the prosecutor. The evaluation facility, or the department of ~~((social and health services))~~ children, youth, and families if the petition is brought under RCW 10.05.020(2), making the written report shall append to the report a commitment by the treatment program or the department of ~~((social and health services))~~ children, youth, and families that it will provide the treatment or child welfare services in accordance with this chapter. The facility or the service provider shall agree to provide the court with a statement ~~((every three months for the first year and every six months for the second year))~~ monthly regarding (a) the petitioner's cooperation with the treatment or child welfare service plan proposed and (b) the petitioner's progress or failure in treatment or child welfare services. These statements shall be made as a declaration by the person who is personally responsible for providing the treatment or services.

Sec. 17. RCW 10.05.060 and 2009 c 135 s 1 are each amended to read as follows:

If the report recommends treatment, the court shall examine the treatment plan. If it approves the plan and the petitioner agrees to comply with its terms and conditions and agrees to pay the cost thereof, if able to do so, or arrange for the treatment, an entry shall be made upon the person's court docket showing that the person has been accepted for deferred prosecution. A copy of the treatment plan shall be filed with the court. If the charge be one that an abstract of the docket showing the charge, the date of the violation for which the charge was made, and the date of petitioner's acceptance is required to be sent to the department of licensing, an abstract shall be sent, and the department of licensing shall make an entry of the charge and of the petitioner's acceptance for deferred prosecution on the department's driving record of the petitioner. The entry is not a conviction for purposes of Title 46 RCW. Upon receipt of the abstract of the docket, the department shall issue notice that 45 days after receipt, the petitioner must apply for a probationary license in accordance with RCW 46.20.355, and the petitioner's driver's license shall be on probationary status for five years from the date of the violation that gave rise to the charge. The department shall maintain the record ~~((for ten years from date of entry of the order granting deferred prosecution))~~ consistent with the requirements of RCW 46.01.260.

Sec. 18. RCW 10.05.090 and 2010 c 269 s 10 are each amended to read as follows:

If a petitioner, who has been accepted for a deferred prosecution, fails or neglects to carry out and fulfill any term or condition of the petitioner's treatment plan or any term or condition imposed in connection with the installation of an interlock or other device under RCW 46.20.720, the facility, center, institution, or agency administering the treatment or the entity administering the use of the device, shall immediately report such breach to the court, the prosecutor, and the petitioner or petitioner's attorney of record, together with its recommendation. The court upon receiving such a report shall hold a hearing to determine whether the petitioner should be removed from the deferred prosecution ~~((program))~~. At the hearing, evidence shall be taken of the petitioner's alleged failure

to comply with the treatment plan or device installation and the petitioner shall have the right to present evidence on his or her own behalf. The court shall either order that the petitioner continue on the treatment plan or be removed from deferred prosecution. If removed from deferred prosecution, the court shall enter judgment pursuant to RCW 10.05.020 and, if the charge for which the deferred prosecution was granted was a misdemeanor or gross misdemeanor under Title 46 RCW, shall notify the department of licensing of the removal and entry of judgment.

Sec. 19. RCW 10.05.100 and 1998 c 208 s 2 are each amended to read as follows:

If a petitioner is subsequently convicted of a similar offense that was committed while the petitioner was in a deferred prosecution ~~((program))~~, upon notice the court shall remove the petitioner's docket from the deferred prosecution file and the court shall enter judgment pursuant to RCW 10.05.020.

Sec. 20. RCW 10.05.120 and 2019 c 263 s 705 are each amended to read as follows:

(1) Three years after receiving proof of successful completion of the ~~((two-year))~~ approved treatment ~~((program))~~ plan, and following proof to the court that the petitioner has complied with the conditions imposed by the court following successful completion of the ~~((two-year))~~ approved treatment ~~((program))~~ plan, but not before five years following entry of the order of deferred prosecution pursuant to a petition brought under RCW 10.05.020(1), the court shall dismiss the charges pending against the petitioner.

(2) When a deferred prosecution is ordered pursuant to a petition brought under RCW 10.05.020(2) and the court has received proof that the petitioner has successfully completed the child welfare service plan, or the plan has been terminated because the alleged victim has reached his or her majority and there are no other minor children in the home, the court shall dismiss the charges pending against the petitioner: PROVIDED, That in any case where the petitioner's parental rights have been terminated with regard to the alleged victim due to abuse or neglect that occurred during the pendency of the deferred prosecution, the termination shall be per se evidence that the petitioner did not successfully complete the child welfare service plan.

~~((3) When a deferred prosecution is ordered for a petition brought under RCW 10.05.020(1) involving a domestic violence behavior problem and the court has received proof that the petitioner has successfully completed the domestic violence treatment plan, the court shall dismiss the charges pending against the petitioner.))~~

Sec. 21. RCW 10.05.140 and 2019 c 263 s 706 are each amended to read as follows:

(1) As a condition of granting a deferred prosecution petition for a violation of RCW 46.61.502 or 46.61.504, the court shall order that the petitioner shall not operate a motor vehicle upon the public highways without a valid operator's license and proof of liability insurance. The amount of liability insurance shall be established by the court at not less than that established by RCW 46.29.490. As a condition of granting a deferred prosecution petition on any ~~((alcohol dependency))~~ substance use disorder-based case, the court shall also order the installation of an ignition interlock under RCW 46.20.720. The required periods of use of the interlock shall be not less than the periods provided for in RCW 46.20.720. As a condition of granting a deferred prosecution petition, the court may order the petitioner to make restitution and to pay costs as defined in RCW 10.01.160. To help ensure continued sobriety and reduce the likelihood of reoffense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at

self-help recovery support groups for ~~((alcoholism or drugs))~~ substance use disorder, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. The court may terminate the deferred prosecution ~~((program))~~ upon violation of the deferred prosecution order.

(2) As a condition of granting a deferred prosecution petition for a case involving a domestic violence behavior problem:

(a) The court shall order the petitioner not to possess firearms and order the petitioner to surrender firearms under RCW 9.41.800; and

(b) The court may order the petitioner to make restitution and to pay costs as defined in RCW 10.01.160. In addition, to help ensure continued sobriety and reduce the likelihood of reoffense in co-occurring domestic violence and substance ~~((abuse))~~ use disorder or mental health disorder cases, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for ~~((alcoholism or drugs))~~ substance use disorder, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. The court may terminate the deferred prosecution ~~((program))~~ upon violation of the deferred prosecution order.

Sec. 22. RCW 10.05.150 and 2016 sp.s. c 29 s 527 are each amended to read as follows:

(1) A deferred prosecution ((program)) for ((alcoholism)) either substance use disorder or mental health co-occurring disorder shall be for a two-year period and shall include, but not be limited to, the following requirements:

~~((4))~~ (a) Total abstinence from alcohol and all other nonprescribed mind-altering drugs;

~~((2) Participation in an intensive inpatient or intensive outpatient program in a state approved substance use disorder treatment program;~~

~~(3) Participation in a minimum of two meetings per week of an alcoholism self help recovery support group, as determined by the assessing agency, for the duration of the treatment program;~~

~~(4) Participation in an alcoholism self help recovery support group, as determined by the assessing agency, from the date of court approval of the plan to entry into intensive treatment;~~

~~(5) Not less than weekly approved outpatient counseling, group or individual, for a minimum of six months following the intensive phase of treatment;~~

~~(6) Not less than monthly outpatient contact, group or individual, for the remainder of the two year deferred prosecution period;~~

~~(7) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician;~~

~~(8))~~ (b) All treatment within the purview of this section shall occur within or be approved by a state-approved ((substance use disorder treatment program)) behavioral health agency as described in chapter ((70.96A)) 71.24 RCW;

~~((9))~~ (c) Signature of the petitioner agreeing to the terms and conditions of the treatment program;

(d) Periodic, random urinalysis or breath analysis;

(e) If the petitioner fails to remain abstinent, a full substance use disorder reassessment and recommended treatment;

(f) No less than weekly approved outpatient counseling, whether group or individual, for a minimum of six months following the intensive phase of treatment;

(g) No less than monthly outpatient contact, whether group or individual, for the remainder of the two-year deferred prosecution period; and

(h) The decision to include the use of prescribed drugs, including disulfiram, as a condition of treatment shall be reserved to the treating facility and the petitioner's physician.

(2) A deferred prosecution for substance use disorder shall include the following requirements:

(a) Completion of an intensive outpatient treatment program or residential inpatient treatment program, depending on the severity of the diagnosis; and

(b) Participation in a minimum of two meetings per week of a substance use disorder self-help recovery support group, as determined by the assessing agency, for the duration of the treatment program.

(3) A deferred prosecution for mental health co-occurring disorder shall include the following requirements:

(a) Completion of the requirements described in subsection (2) of this section, or completion of an outpatient program as determined by the petitioner's diagnostic evaluation; and

(b) Completion of individual or group mental health services.

Sec. 23. RCW 10.05.155 and 2019 c 263 s 708 are each amended to read as follows:

A deferred prosecution ~~((program))~~ for domestic violence behavior, or domestic violence co-occurring with substance abuse or mental health, must include, but is not limited to, the following requirements:

(1) Completion of a risk assessment;

(2) Participation in the level of treatment recommended by the program as outlined in the current treatment plan;

(3) Compliance with the contract for treatment;

(4) Participation in any ancillary or co-occurring treatments that are determined to be necessary for the successful completion of the domestic violence intervention treatment including, but not limited to, mental health or substance use treatment;

(5) Domestic violence intervention treatment within the purview of this section to be completed with a state-certified domestic violence intervention treatment program;

(6) Signature of the petitioner agreeing to the terms and conditions of the treatment program;

(7) Proof of compliance with any active order to surrender weapons issued in this program or related civil protection orders or no-contact orders.

NEW SECTION. Sec. 24. A new section is added to chapter 10.05 RCW to read as follows:

A deferred prosecution for mental health disorder where the wrongful conduct did not involve, and was not caused by, alcohol, drugs, or a substance use disorder, shall include treatment recommended by a state-approved mental health provider.

Sec. 25. RCW 10.05.170 and 1991 c 247 s 2 are each amended to read as follows:

As a condition of granting deferred prosecution, the court may order supervision of the petitioner during the period of deferral and may levy a monthly assessment upon the petitioner as provided in RCW 10.64.120. In a jurisdiction with a probation department, the court may appoint the probation department to supervise the petitioner. In a jurisdiction without a probation department, the court may appoint an appropriate person or agency to supervise the petitioner. A supervisor appointed under this section shall be required to do at least the following:

(1) If the charge for which deferral is granted relates to operation of a motor vehicle, at least once every ~~((six))~~ three months request ~~((from the department of licensing))~~ an abstract of the petitioner's driving record; ~~((and))~~

(2) At least once every month make contact with the petitioner ~~((or with any agency to which the petitioner has been directed for treatment as a part of the deferral))~~ until treatment is completed;

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(3) Review the petitioner's criminal history at a minimum of every 90 days until the end of the deferral period; and

(4) Report known violations of supervision or law and noncompliance with conditions of the deferred prosecution to the court within five business days or as soon as practicable.

Sec. 26. RCW 46.20.355 and 2020 c 330 s 8 are each amended to read as follows:

(1) Upon receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon receipt of a notice of conviction of RCW 46.61.502 or 46.61.504, the department of licensing shall issue notice that 45 days after receipt, the person must apply for a probationary license, and order the person to surrender any nonprobationary Washington state driver's license that may be in his or her possession. ~~((The department shall revoke the license, permit, or privilege to drive of any person who fails to surrender it as required by this section for one year, unless the license has been previously surrendered to the department, a law enforcement officer, or a court, or the person has completed an affidavit of lost, stolen, destroyed, or previously surrendered license, such revocation to take effect thirty days after notice is given of the requirement for license surrender.))~~

(2) The department shall place a person's driving privilege in probationary status as required by RCW 10.05.060 or 46.61.5055 for a period of five years from the date the probationary status is required to go into effect.

(3) Following receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon reinstatement or reissuance of a driver's license suspended or revoked as the result of a conviction of RCW 46.61.502 or 46.61.504, the department shall require the person to obtain a probationary license in order to operate a motor vehicle in the state of Washington, except as otherwise exempt under RCW 46.20.025. The department shall not issue the probationary license unless the person is otherwise qualified for licensing, and the person must renew the probationary license on the same cycle as the person's regular license would have been renewed until the expiration of the five-year probationary status period imposed under subsection (2) of this section.

(4) If a person is eligible for full credit under RCW 46.61.5055(9)(b)(ii) and, by the date specified in the notice issued under RCW 46.20.245, has completed the requirements under RCW 46.20.311 and paid the fee under subsection (5) of this section, the department shall issue a probationary license on the date specified in the notice with no further action required of the person.

(5) For each original issue or renewal of a probationary license under this section, the department shall charge a fee of ~~((fifty dollars))~~ **\$50** in addition to any other licensing fees required. Except for when renewing a probationary license, the department shall waive the requirement to obtain an additional probationary license and the ~~((fifty dollar))~~ **\$50** fee if the person has a probationary license in his or her possession at the time a new probationary license is required.

(6) A probationary license shall enable the department and law enforcement personnel to determine that the person is on probationary status. The fact that a person's driving privilege is in probationary status or that the person has been issued a probationary license shall not be a part of the person's record that is available to insurance companies.

Sec. 27. RCW 46.20.385 and 2020 c 330 s 9 are each amended to read as follows:

(1)(a) Any person licensed under this chapter or who has a valid driver's license from another state, who is convicted of: (i) A violation of RCW 46.61.502 or 46.61.504 or an equivalent local

or out-of-state statute or ordinance, or (ii) a violation of RCW 46.61.520(1)(a) or an equivalent local or out-of-state statute or ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1) (b) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520(1)(a), or (iv) RCW 46.61.522(1)(b) or an equivalent local or out-of-state statute or ordinance, or (v) RCW 46.61.522(1) (a) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522(1)(b) committed while under the influence of intoxicating liquor or any drug, or (vi) who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, or has had his or her license suspended, revoked, or denied under RCW 46.61.5055(11)(c)(i), or who is otherwise permitted under subsection (8) of this section, may submit to the department an application for an ignition interlock driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is eligible to receive the license, may issue an ignition interlock driver's license.

(b) A person may apply for an ignition interlock driver's license anytime, including immediately after receiving the notices under RCW 46.20.308 or after his or her license is suspended, revoked, or denied.

(c) An applicant under this subsection shall provide proof to the satisfaction of the department that a functioning ignition interlock device has been installed on all vehicles operated by the person.

(i) The department shall require the person to maintain the device on all vehicles operated by the person and shall restrict the person to operating only vehicles equipped with the device, for the remainder of the period of suspension, revocation, or denial, unless otherwise permitted under RCW 46.20.720(6).

(ii) Subject to any periodic renewal requirements established by the department under this section and subject to any applicable compliance requirements under this chapter or other law, an ignition interlock driver's license granted upon a suspension or revocation under RCW 46.61.5055 or 46.20.3101 extends through the remaining portion of any concurrent or consecutive suspension or revocation that may be imposed as the result of administrative action and criminal conviction arising out of the same incident.

(2) An applicant for an ignition interlock driver's license who qualifies under subsection (1) of this section is eligible to receive a license only if the applicant files satisfactory proof of financial responsibility under chapter 46.29 RCW.

(3) Upon receipt of evidence that a holder of an ignition interlock driver's license granted under this subsection no longer has a functioning ignition interlock device installed on all vehicles operated by the driver, the director shall give written notice by first-class mail to the driver that the ignition interlock driver's license shall be canceled. If at any time before the cancellation goes into effect the driver submits evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver, the cancellation shall be stayed. If the cancellation becomes effective, the driver may obtain, at no additional charge, a new ignition interlock driver's license upon submittal of evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver.

(4) A person aggrieved by the decision of the department on the application for an ignition interlock driver's license may request a hearing as provided by rule of the department.

(5) The director shall cancel an ignition interlock driver's license after receiving notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, no longer meets the eligibility requirements, or has been convicted of or found to have committed a separate offense

or any other act or omission that under this chapter would warrant suspension or revocation of a regular driver's license. The department must give notice of the cancellation as provided under RCW 46.20.245. A person whose ignition interlock driver's license has been canceled under this section may reapply for a new ignition interlock driver's license if he or she is otherwise qualified under this section and pays the fee required under RCW 46.20.380.

(6)(a) Unless costs are waived by the ignition interlock company or the person is indigent under RCW 10.101.010, the applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of twenty-one dollars per month. Payments shall be made directly to the ignition interlock company. The company shall remit the additional fee to the department, except that the company may retain ~~((twenty-five))~~ 25 cents per month of the additional fee to cover the expenses associated with administering the fee.

(b) The department shall deposit the proceeds of the twenty-one dollar fee into the ignition interlock device revolving account. Expenditures from the account may be used only to administer and operate the ignition interlock device revolving account program. The department shall adopt rules to provide monetary assistance according to greatest need and when funds are available.

(7) The department shall adopt rules to implement ignition interlock licensing. The department shall consult with the administrative office of the courts, the state patrol, the Washington association of sheriffs and police chiefs, ignition interlock companies, and any other organization or entity the department deems appropriate.

(8)(a) Any person licensed under this chapter who is convicted of a violation of RCW 46.61.500 when the charge was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, may submit to the department an application for an ignition interlock driver's license under this section.

(b) A person who does not have any driver's license under this chapter, but who would otherwise be eligible under this section to apply for an ignition interlock license, may submit to the department an application for an ignition interlock license. The department may require the person to take any driver's licensing examination under this chapter and may require the person to also apply and qualify for a temporary restricted driver's license under RCW 46.20.391.

Sec. 28. RCW 46.20.720 and 2020 c 330 s 10 are each amended to read as follows:

(1) **Ignition interlock restriction.** The department shall require that a person may drive only a motor vehicle equipped with a functioning ignition interlock device:

(a) **Pretrial release.** Upon receipt of notice from a court that an ignition interlock device restriction has been imposed under RCW 10.21.055;

(b) **Ignition interlock driver's license.** As required for issuance of an ignition interlock driver's license under RCW 46.20.385;

(c) **Deferred prosecution.** Upon receipt of notice from a court that the person is participating in a deferred prosecution program under RCW 10.05.020 for a violation of:

(i) RCW 46.61.502 or 46.61.504 or an equivalent local ordinance; or

(ii) RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person would be required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person in the event of a conviction;

(d) **Post conviction.** After any applicable period of mandatory suspension, revocation, or denial of driving privileges, or upon fulfillment of day-for-day credit under RCW 46.61.5055(9)(b)(ii) for a suspension, revocation, or denial of driving privileges:

(i) Due to a conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance; or

(ii) Due to a conviction of a violation of RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person is required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person; or

(e) **Court order.** Upon receipt of an order by a court having jurisdiction that a person charged or convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle may drive only a motor vehicle equipped with a functioning ignition interlock. The court shall establish a specific alcohol set point at which the ignition interlock will prevent the vehicle from being started. The court shall also establish the period of time for which ignition interlock use will be required.

(2) **Alcohol set point.** Unless otherwise specified by the court for a restriction imposed under subsection (1)(e) of this section, the ignition interlock device shall have an alcohol set point that prevents the motor vehicle from being started when the breath sample provided has an alcohol concentration of 0.020 or more.

(3) **Duration of restriction.** A restriction imposed under:

(a) Subsection (1)(a) of this section shall remain in effect until:

(i) The court has authorized the removal of the device under RCW 10.21.055; or

(ii) The department has imposed a restriction under subsection (1)(b), (c), or (d) of this section arising out of the same incident.

(b) Subsection (1)(b) of this section remains in effect during the validity of any ignition interlock driver's license that has been issued to the person.

(c) Subsection (1)(c)(i) or (d)(i) of this section shall be for no less than:

(i) For a person who has not previously been restricted under this subsection, a period of one year;

(ii) For a person who has previously been restricted under (c)(i) of this subsection, a period of five years;

(iii) For a person who has previously been restricted under (c)(ii) of this subsection, a period of ~~((ten))~~ 10 years.

The restriction of a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and who committed the offense while one or more passengers under the age of ~~((sixteen))~~ 16 were in the vehicle shall be extended for an additional period as required by RCW 46.61.5055(6)(a).

For purposes of determining a period of restriction for a person restricted pursuant to a conviction under (d) of this subsection, a restriction based on a deferred prosecution under subsection (1)(c) of this section arising out of the same incident is not considered a prior restriction for purposes of this subsection.

(d) Subsection (1)(c)(ii) or (d)(ii) of this section shall be for a period of no less than six months.

(e) The period of restriction under (c) or (d) of this subsection shall be extended by ~~((one hundred eighty))~~ 180 days whenever the department receives notice that the restricted person has been convicted under RCW 46.20.740 or 46.20.750. If the period of restriction under (c) or (d) of this subsection has been fulfilled and cannot be extended, the department must add a new ~~((one hundred eighty-day))~~ 180-day restriction that is imposed from the date of conviction and is subject to the requirements for removal under subsection (4) of this section.

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(f) Subsection (1)(e) of this section shall remain in effect for the period of time specified by the court.

(g) The period of restriction under (c) and (d) of this subsection based on incidents occurring on or after June 9, 2016, must be tolled for any period in which the person does not have an ignition interlock device installed on a vehicle owned or operated by the person unless the person receives a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. For all drivers restricted under this section with incidents and restriction start dates prior to June 9, 2016, a driver may apply to waive the restriction by applying for a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. The department's determination that a person is unable to operate an ignition interlock device must be reasonable and be based upon good and substantial evidence. This determination is subject to review by a court of competent jurisdiction. The department may charge a person seeking a medical exemption under this subsection a reasonable fee for the assessment.

(4) Requirements for removal. A restriction imposed under subsection (1)(c) or (d) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying the following:

(a) That there have been none of the following incidents in the ~~((one hundred eighty))~~ 180 consecutive days prior to the date of release:

(i) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ~~((ten))~~ 10 minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;

(ii) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;

(iii) Failure to pass any random retest with a breath alcohol concentration of lower than 0.020 unless a subsequent test performed within ~~((ten))~~ 10 minutes registers a breath alcohol concentration lower than 0.020, and the digital image confirms the same person provided both samples;

(iv) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device; or

(v) Removal of the ignition interlock device by a person other than an ignition interlock technician certified by the Washington state patrol; and

(b) That the ignition interlock device was inspected at the conclusion of the ~~((one hundred eighty day))~~ 180-day period by an ignition interlock technician certified by the Washington state patrol and no evidence was found that the device was tampered with in the manner described in RCW 46.20.750.

(5) Day-for-day credit. (a) The time period during which a person has an ignition interlock device installed in order to meet the requirements of subsection (1)(b) of this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident.

(b) The department must also give the person a day-for-day credit for any time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates, other than those subject to the employer exemption under subsection (6) of this section.

(c) If the day-for-day credit granted under this subsection equals or exceeds the period of time the ignition interlock device

restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident, and the person has already met the requirements for removal of the device under subsection (4) of this section, the department may waive the requirement that a device be installed or that the person again meet the requirements for removal.

(6) Employer exemption. (a) Except as provided in (b) of this subsection, the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department with a declaration pursuant to chapter 5.50 RCW from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours. When the department receives a declaration under this subsection, it shall attach or imprint a notation on the person's driving record stating that the employer exemption applies.

(b) The employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment.

(c) The employer exemption does not apply to a person who is self-employed unless the person's vehicle is used exclusively for the person's employment.

(7) Ignition interlock device revolving account. In addition to any other costs associated with the use of an ignition interlock device imposed on the person restricted under this section, the person shall pay an additional fee of ~~((twenty one dollars))~~ \$21 per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional fee to the department to be deposited into the ignition interlock device revolving account, except that the company may retain ~~((twenty five))~~ 25 cents per month of the additional fee to cover the expenses associated with administering the fee. The department may waive the monthly fee if the person is indigent under RCW 10.101.010.

(8) Foreign jurisdiction. For a person restricted under this section who is residing outside of the state of Washington, the department may accept verification of installation of an ignition interlock device by an ignition interlock company authorized to do business in the jurisdiction in which the person resides, provided the device meets any applicable requirements of that jurisdiction. The department may waive one or more requirements for removal under subsection (4) of this section if compliance with the requirement or requirements would be impractical in the case of a person residing in another jurisdiction, provided the person is in compliance with any equivalent requirement of that jurisdiction. The department may waive the monthly fee required by subsection (7) of this section if collection of the fee would be impractical in the case of a person residing in another jurisdiction.

Sec. 29. RCW 46.20.740 and 2020 c 330 s 11 are each amended to read as follows:

(1) The department shall attach or imprint a notation on the driving record of any person restricted under RCW 46.20.720, 46.61.5055, or 10.05.140 stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock device. The department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person seeking reinstatement. If, based upon notification from the interlock provider or otherwise, the department determines that an ignition interlock

required under this section is no longer installed or functioning as required, the department shall suspend the person's license or privilege to drive. Whenever the license or driving privilege of any person is suspended or revoked as a result of noncompliance with an ignition interlock requirement, the suspension shall remain in effect until the person provides notice issued by a company doing business in the state that a vehicle owned or operated by the person is equipped with a functioning ignition interlock device.

(2) It is a gross misdemeanor for a person with such a notation on his or her driving record to operate a motor vehicle that is not so equipped, unless the notation resulted from a restriction imposed as a condition of release and the restriction has been released by the court prior to driving. Any time a person is convicted under this section, the court shall immediately notify the department for purposes of RCW 46.20.720(3)(e). It is an affirmative defense, which the defendant must prove by a preponderance of the evidence, that the employer exemption in RCW 46.20.720(6) applies. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(3) Any sentence imposed for a violation of subsection (2) of this section shall be served consecutively with any sentence imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055.

Sec. 30. RCW 46.61.502 and 2022 c 16 s 40 are each amended to read as follows:

(1) A person is guilty of driving while under the influence of intoxicating liquor, cannabis, or any drug if the person drives a vehicle within this state:

(a) And the person has, within two hours after driving, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after driving, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor, cannabis, or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor, cannabis, and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state shall not constitute a defense against a charge of violating this section.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of alcohol after the time of driving and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of cannabis after the time of driving and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by cannabis in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class B felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has three or more prior offenses within ~~((ten))~~ 15 years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.504(6).

Sec. 31. RCW 46.61.5055 and 2020 c 330 s 15 are each amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((twenty-four))~~ 24 consecutive hours nor more than ~~((three hundred sixty-four))~~ 364 days. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court, in its discretion, may order not less than ~~((fifteen))~~ 15 days of electronic home monitoring or a ~~((ninety-day))~~ 90-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((three hundred fifty dollars))~~ \$350 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Three hundred fifty dollars))~~ \$350 of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered

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pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((forty-eight))~~ 48 consecutive hours nor more than ~~((three hundred sixty-four))~~ 364 days. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court, in its discretion, may order not less than ~~((thirty))~~ 30 days of electronic home monitoring or a ~~((one hundred twenty-day))~~ 120-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program testing as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((five hundred dollars))~~ \$500 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Five hundred dollars))~~ \$500 of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((thirty))~~ 30 days nor more than ~~((three hundred sixty-four))~~ 364 days and ~~((sixty))~~ 60 days of electronic home monitoring. Thirty days of imprisonment and ~~((sixty))~~ 60 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory term of imprisonment and electronic home monitoring under this subsection (2)(a)(i), the court may order a minimum of either ~~((one hundred eighty))~~ 180 days of electronic home monitoring or a ~~((one hundred twenty-day))~~ 120-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((five hundred dollars))~~ \$500 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Five hundred dollars))~~ \$500 of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((forty-five))~~ 45 days nor more than ~~((three hundred sixty-four))~~ 364 days and ~~((ninety))~~ 90 days of electronic home monitoring. Forty-five days of imprisonment and ~~((ninety))~~ 90 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of imprisonment and electronic home monitoring under this subsection (2)(b)(i), the court may order a minimum of either six months of electronic home monitoring or a ~~((one hundred twenty-day))~~ 120-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((seven hundred fifty dollars))~~ \$750 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((Seven hundred fifty dollars))~~ \$750 of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((ninety))~~ 90 days nor more than ~~((three hundred sixty-four))~~ 364 days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and ~~((one hundred twenty))~~ 120 days of electronic home monitoring. Ninety days of imprisonment and ~~((one hundred twenty))~~ 120 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of ~~((ninety))~~ 90 days of imprisonment and ~~((one hundred twenty))~~ 120 days of electronic home monitoring, the court may order ~~((three hundred sixty))~~ 360 days of electronic home monitoring or a ~~((three hundred sixty-day))~~ 360-day period of

24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(i) By a fine of not less than ~~((one thousand dollars))~~ \$1,000 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((One thousand dollars))~~ \$1,000 of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((one hundred twenty))~~ 120 days nor more than ~~((three hundred sixty four))~~ 364 days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and ~~((one hundred fifty))~~ 150 days of electronic home monitoring. One hundred twenty days of imprisonment and ~~((one hundred fifty))~~ 150 days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of ~~((one hundred twenty))~~ 120 days of imprisonment and ~~((one hundred fifty))~~ 150 days of electronic home monitoring, the court may order ~~((three hundred sixty))~~ 360 days of electronic home monitoring or a ~~((three hundred sixty day))~~ 360-day period of 24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than ~~((one thousand five hundred dollars))~~ \$1,500 nor more than ~~((five thousand dollars))~~ \$5,000. ~~((One thousand five hundred))~~ \$1,500 dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Three or more prior offenses in ~~((ten))~~ 15 years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has three or more prior offenses within ~~((ten))~~ 15 years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.** (a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while one or more passengers under the age of ~~((sixteen))~~ 16 were in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional ~~((twelve))~~ 12 months for each passenger under the age of ~~((sixteen))~~ 16 when the person is subject to the penalties under subsection (1)(a), (2)(a), or (3)(a) of this section; and order the use of an ignition interlock device for an additional ~~((eighteen))~~ 18 months for each passenger under the age of ~~((sixteen))~~ 16 when the person is subject to the penalties under subsection (1)(b), (2)(b), (3)(b), or (4) of this section;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ~~((twenty four))~~ 24 hours of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~ 16, and a fine of not less than ~~((one thousand dollars))~~ \$1,000 and not more than ~~((five thousand dollars))~~ \$5,000 for each passenger under the age of ~~((sixteen))~~ 16. ~~((One thousand dollars))~~ \$1,000 of the fine for each passenger under the age of ~~((sixteen))~~ 16 may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~ 16, and a fine of not less than ~~((two thousand dollars))~~ \$2,000 and not more than ~~((five thousand dollars))~~ \$5,000 for

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each passenger under the age of ~~((sixteen))~~ 16. One thousand dollars of the fine for each passenger under the age of ~~((sixteen))~~ 16 may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment to be served consecutively for each passenger under the age of ~~((sixteen))~~ 16, and a fine of not less than ~~((three thousand dollars))~~ \$3,000 and not more than ~~((ten thousand dollars))~~ \$10,000 for each passenger under the age of ~~((sixteen))~~ 16. ~~((One thousand dollars))~~ \$1,000 of the fine for each passenger under the age of ~~((sixteen))~~ 16 may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of ~~((forty five))~~ 45 miles per hour or greater; and

(d) Whether a child passenger under the age of ~~((sixteen))~~ 16 was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the substance use disorder assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** (a) The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(i) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(A) Where there has been no prior offense within seven years, be suspended or denied by the department for ~~((ninety))~~ 90 days or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a ~~((ninety day))~~ 90-day period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for fewer than two days;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for two years or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a six-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year; or

(C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(ii) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

(A) Where there has been no prior offense within seven years, be revoked or denied by the department for one year or until the person is evaluated by a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a one hundred twenty day period of

24/7 sobriety program monitoring. In no circumstances shall the license revocation be for fewer than four days;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for ~~((nine hundred))~~ 900 days; or

(C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(iii) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(A) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(B) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(C) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

(b)(i) The department shall grant credit on a day-for-day basis for a suspension, revocation, or denial imposed under this subsection (9) for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 arising out of the same incident.

(ii) If a person has already served a suspension, revocation, or denial under RCW 46.20.3101 for a period equal to or greater than the period imposed under this subsection (9), the department shall provide notice of full credit, shall provide for no further suspension or revocation under this subsection provided the person has completed the requirements under RCW 46.20.311 and paid the probationary license fee under RCW 46.20.355 by the date specified in the notice under RCW 46.20.245, and shall impose no additional reissue fees for this credit.

(c) Upon receipt of a notice from the court under RCW 36.28A.390 that a participant has been removed from a 24/7 sobriety program, the department must resume any suspension, revocation, or denial that had been terminated early under this subsection due to participation in the program, granting credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 or this section arising out of the same incident.

(d) Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

(e) For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to ~~((three hundred sixty four))~~ 364 days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include:

(i) Not driving a motor vehicle within this state without a valid

license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, substance use disorder treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the convicted person to be confined for ~~((thirty))~~ 30 days, which shall not be suspended or deferred.

(c) ~~((For))~~ (i) Except as provided in (c)(ii) of this subsection, for each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for ~~((thirty))~~ 30 days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by ~~((thirty))~~ 30 days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection. The person may apply for an ignition interlock driver's license under RCW 46.20.385 during the suspension period.

(ii) For each incident involving a violation of RCW 46.20.342(1)(c), the court has discretion not to impose a suspension when the person provides the court with proof that the violation has been cured within 30 days. The court is not required to notify the department of the violation unless it is not cured within 30 days.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed ~~((three hundred sixty-four))~~ 364 days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed ~~((three hundred sixty-four))~~ 364 days.

(13) **Extraordinary medical placement.** An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1)(c).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (x), (xi), or (xii) of this subsection if committed in this state;

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(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means substance use disorder treatment licensed or certified by the department of health;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ~~((ten))~~ 15 years" means that the arrest for a prior offense occurred within ~~((ten))~~ 15 years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 32. RCW 46.61.504 and 2022 c 16 s 42 are each amended to read as follows:

(1) A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if the person has actual physical control of a vehicle within this state:

(a) And the person has, within two hours after being in actual physical control of the vehicle, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after being in actual physical control of a vehicle, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state does not constitute a defense against any charge of violating this section. No person may be convicted under this section and it is an affirmative defense to any action pursuant to RCW 46.20.308 to suspend, revoke, or deny the privilege to drive if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section which the defendant must prove by a preponderance of the evidence that the defendant consumed a

sufficient quantity of alcohol after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after being in such control. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of cannabis after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after being in control of the vehicle. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in such control, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in control of the vehicle, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by cannabis in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class C felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has three or more prior offenses within ~~((ten))~~ 15 years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.502(6).

NEW SECTION. Sec. 33. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 34. This act takes effect January 1, 2026."

On page 1, line 1 of the title, after "driving;" strike the remainder of the title and insert "amending RCW 9.94A.030, 9.94A.190, 9.94A.501, 9.94A.505, 9.94A.525, 9.94A.633, 9.94A.6332, 9.94A.660, 9.94A.701, 10.05.010, 10.05.015, 10.05.020, 10.05.030, 10.05.040, 10.05.050, 10.05.060, 10.05.090, 10.05.100, 10.05.120, 10.05.140, 10.05.150, 10.05.155, 10.05.170, 46.20.355, 46.20.385, 46.20.720,

46.20.740, 46.61.502, 46.61.5055, and 46.61.504; adding a new section to chapter 9.94A RCW; adding a new section to chapter 10.05 RCW; providing an effective date; and prescribing penalties."

MOTION

Senator Lovelett moved that the following amendment no. 810 by Senator Lovelett be adopted:

On page 78, after line 5, insert the following:

"NEW SECTION. Sec. 33. A new section is added to chapter 46.61 RCW to read as follows:

(1) Any law enforcement agency utilizing oral fluid roadside information as part of the enforcement of driving under the influence laws must ensure the following:

(a) The oral fluid test instrument or instruments to be used are valid and reliable;

(b) Any peace officer who may administer an oral fluid test is properly trained in the administration of the test;

(c) Prior to administering the test, the administering peace officer advises the subject of the following information:

(i) The test is voluntary, and does not constitute compliance with the implied consent requirement of RCW 46.20.308;

(ii) Test results may not be used against the person in a court of law; and

(iii) Submission to the test is not an alternative to any evidentiary breath or blood test; and

(d) The law enforcement agency establishes policies to protect personally identifying information from unnecessary and improper dissemination including, but not limited to:

(i) Destruction of biological samples from oral fluid tests as soon as practicable after collection of test results; and

(ii) Prohibitions against entering DNA samples or results from such tests into any database.

(2) Any law enforcement agency administering an oral fluid roadside test as authorized in this section or section 1 of this act is strictly liable for (a) any failure to destroy biological samples from such tests within 24 hours or (b) unlawful entry of DNA samples or results from such tests into any database."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 78, line 18, after "10.05 RCW;" insert "adding a new section to chapter 46.61 RCW;"

Senators Lovelett and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 810 by Senator Lovelett on page 78, after line 5 to the committee striking amendment.

The motion by Senator Lovelett carried and amendment no. 810 was adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 861 by Senator Rivers be adopted:

On page 78, after line 5, insert the following:

"NEW SECTION. Sec. 33. A new section is added to chapter 46.16A RCW to read as follows:

(1) The department shall create and issue license plates, for display at the front and rear of a motor vehicle, available for persons convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance. Both front and rear license plates

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shall be fluorescent yellow but otherwise conform to the standards described within this chapter. If the vehicle is a motorcycle or moped, only one vehicle license number plate shall be issued.

(2) A person issued a license plate under subsection (1) of this section is responsible for any fees and taxes required by law. Such fees shall be deposited in the motor vehicle fund.

(3) The state may seek restitution for the costs associated with obtaining and issuing a license plate under subsection (1) of this section to a person required to display a fluorescent yellow license plate pursuant to section 34 of this act.

"NEW SECTION. Sec. 34. A new section is added to chapter 46.20 RCW to read as follows:

(1) The department shall require that, after any applicable period of suspension, revocation, or denial of driving privileges, a person may drive only a motor vehicle equipped with fluorescent yellow license plates as described in section 33 of this act if the person is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance.

(2) The display of fluorescent yellow license plates is not necessary on vehicles owned by a person's employer and driven as a requirement of employment during working hours.

(3) The period of time of the restriction under this section is one year.

"NEW SECTION. Sec. 35. A new section is added to chapter 46.20 RCW to read as follows:

A person who is restricted to the use of a motor vehicle equipped with fluorescent yellow license plates and who knowingly disguises or obscures the color of the license plates is guilty of a gross misdemeanor."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 78, line 18, after "10.05 RCW;" insert "adding a new section to chapter 46.16A RCW; adding new sections to chapter 46.20 RCW;"

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, amendment no. 861 by Senator Rivers on page 78, line 5 to the committee striking amendment was withdrawn.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation as amended to Engrossed Substitute House Bill No. 1493.

The motion by Senator Dhingra carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1493 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1493 as amended by the Senate.

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ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1493 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2396, by House Committee on Health Care & Wellness (originally sponsored by Representatives Mosbrucker, Davis, Couture, Rule, Barkis, Jacobsen, and Pollet)

Concerning fentanyl and other synthetic opioids.

The measure was read the second time.

MOTION

Senator Robinson moved that the following amendment no. 813 by Senator Robinson be adopted:

On page 2, beginning on line 28, after "the" strike all material through "and" on line 30 and insert "department of health, in consultation with"

On page 2, beginning on line 33, after "the" strike all material through "chiefs" on line 34 and insert "department of health"

Senator Robinson spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 813 by Senator Robinson on page 2, line 28 to Substitute House Bill No. 2396.

The motion by Senator Robinson carried and amendment no. 813 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 2396 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2396 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2396 as amended by the Senate and the bill passed

the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2396 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2072, by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Farivar, Taylor, Ryu, Reeves, Slatter, Reed, Ormsby, Ramel, Macri, Goodman, Fosse, Riccelli, and Hackney)

Concerning penalties relating to antitrust actions.

The measure was read the second time.

MOTION

On motion of Senator Trudeau, the rules were suspended, Substitute House Bill No. 2072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Trudeau spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2072.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2072 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 2072, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097, by House Committee on Consumer Protection & Business (originally sponsored by Representatives Walen, Goodman, Leavitt, Ramel, Peterson, Fitzgibbon, Macri, Simmons, Reeves, Thai, Gregerson, Stonier, Pollet, Kloba, Santos, and Ormsby)

Concerning the sale of cosmetics tested on animals.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute House Bill No. 1097 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1097.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1097 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Wagoner

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1097, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1205, by House Committee on Appropriations (originally sponsored by Representatives Taylor, Reed, and Senn)

Responsibility for providing service by publication of a summons or notice in dependency and termination of parental rights cases.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 13.34.080 and 2000 c 122 s 9 are each amended to read as follows:

(1) The court shall direct the ~~((clerk))~~ petitioner to publish notice in a legal newspaper ~~((printed in the county, qualified to publish summons))~~, as described under RCW 65.16.020, once a week for three consecutive weeks, with the first publication of the notice to be at least twenty-five days prior to the date fixed for the hearing when it appears by the petition or verified statement that:

- (a)(i) The parent or guardian is a nonresident of this state; or
- (ii) The name or place of residence or whereabouts of the parent or guardian is unknown; and

(b) After due diligence, the person attempting service of the summons or notice provided for in RCW 13.34.070 has been unable to make service, and a copy of the notice has been deposited in the post office, postage prepaid, directed to such person at his or her last known place of residence. If the parent, guardian, or legal custodian is believed to be a resident of another state or a county other than the county in which the petition has been filed, notice also shall be published in the county in which the parent, guardian, or legal custodian is believed to reside.

(2) Publication may proceed simultaneously with efforts to provide service in person or by mail, when the court determines there is reason to believe that service in person or by mail will not be successful. Notice shall be directed to the parent, parents, or other person claiming the right to the custody of the child, if their names are known. If their names are unknown, the phrase "To whom it may concern" shall be used, apply to, and be binding upon, those persons whose names are unknown. The name of the court, the name of the child (or children if of one family), the date of the filing of the petition, the date of hearing, and the object of the proceeding in general terms shall be set forth. There shall be filed with the clerk an affidavit showing due publication of the notice. ~~((The))~~

(3)(a) Except as provided in (b) of this subsection, the cost of publication shall be paid by the ~~((county))~~ petitioner at a rate not greater than the rate paid for other legal notices.

(b) If the petitioner is a minor child or the court finds that the petitioner is an indigent parent or legal guardian, the cost of publication shall be paid or reimbursed by the office of civil legal aid where the petitioner is a minor child, or the office of public defense where the petitioner is a parent or legal guardian, pursuant to procedures set by each agency.

(4) The publication of notice shall be deemed equivalent to personal service upon all persons, known or unknown, who have been designated as provided in this section.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 3. This act takes effect January 1, 2025."

On page 1, line 3 of the title, after "cases;" strike the remainder of the title and insert "amending RCW 13.34.080; creating a new section; and providing an effective date."

MOTION

Senator Dhingra moved that the following amendment no. 711 by Senator Dhingra be adopted:

On page 2, line 19, after "January" strike "1, 2025" and insert "31, 2026"

Senator Dhingra spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 711 by Senator Dhingra on page 2, line 19 to the committee striking amendment.

The motion by Senator Dhingra carried and amendment no. 711 was adopted by voice vote.

Senator Dhingra spoke in favor of adoption of the committee striking amendment as amended.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee

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on Law & Justice as amended to Second Substitute House Bill No. 1205.

The motion by Senator Dhingra carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Second Substitute House Bill No. 1205 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1205 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1205 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 1205 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000, by House Committee on Appropriations (originally sponsored by Representatives Mena, Berry, Ramel, Low, Walen, Ryu, Timmons, Reed, Cheney, Nance, Cortes, Santos, and Hackney)

Renewing Washington's international leadership.

The measure was read the second time.

MOTION

Senator Stanford moved that the following committee striking amendment by the Committee on Business, Financial Services, Gaming & Trade be not adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 43.290 RCW to read as follows:

(1) The office of international relations and protocol shall develop a strategic international engagement plan to guide Washington's international economic development and engagement consistent with RCW 43.290.005. The plan must create a common framework for the state's engagement in

international activities, to include: Trade missions, economic development, and interpersonal knowledge exchanges.

(2) The office may consult with entities relevant to Washington's international presence when developing the strategic plan, including: Associate development organizations, business and civic organizations, consular officials, executive and small cabinet agencies, institutions of higher education, immigration and labor organizations, public ports, state offices, and private and nonprofit organizations.

(3) The office may utilize the resources of Results Washington for technical and operational assistance in developing the strategic plan.

(4) The office must complete an initial strategic plan by July 1, 2025. This strategic plan shall undergo periodic review to measure progress and outcomes at least every two and a half years thereafter, and it shall be fully updated at least every five years thereafter.

Sec. 2. RCW 43.290.005 and 1991 c 24 s 1 are each amended to read as follows:

The legislature finds that it is in the public interest to create an office of international relations and protocol in order to: Make international relations and protocol ~~((a broad-based,))~~ focused~~((s))~~ and functional ~~((part of))~~ across state government; provide leadership in state government with respect to international relations and assist the legislature and state elected officials with international issues affecting the state; establish coordinated methods for responding to foreign governments and institutions seeking cooperative activities with and within Washington; coordinate and improve communication and resource sharing among various state offices, agencies, and educational institutions with international programs; develop and promote state policies that increase international ~~((Heterney))~~ engagement and cross-cultural understanding among Washington state's citizens; expand Washington state's international cooperation role in ~~((such))~~ vital areas ~~((as the environment, education, science, culture, and sports))~~ of public policy, including but not limited to economic development, trade and industry, and tourism and sports, as well as education, culture, science, and resilience; ~~((establish coordinated methods for responding to the increasing number of inquiries by foreign governments and institutions seeking cooperative activities within Washington state; provide leadership in state government on international relations and assistance to the legislature and state elected officials on international issues affecting the state;))~~ and assist with multistate international efforts ~~((; and coordinate and improve communication and resource sharing among various state offices, agencies, and educational institutions with international programs))~~.

It is the purpose of this chapter to bring these functions together in a new office under the office of the governor in order to establish a visible, coordinated, and comprehensive approach to international relations and protocol.

Sec. 3. RCW 43.290.020 and 1991 c 24 s 4 are each amended to read as follows:

The office of international relations and protocol may:

(1) Create ~~((temporary))~~ advisory committees as necessary to ~~((deal with specific international issues))~~ execute its responsibilities. The duration and composition of such advisory committees may be determined by the office. Advisory committee representation may include statewide elected officials from the executive branch, or their designees, as well as representatives of the legislative branch and the judiciary. Representation may also include external organizations such as ~~((the Seattle consular corps,))~~ world affairs councils, public ports, world trade organizations, ~~((private nonprofit organizations~~

~~dealing with international education or international environmental issues, organizations concerned with international understanding, businesses with experience in international relations, or other organizations deemed appropriate by the director)) associate development organizations, business and civic organizations, consular officials, executive and small cabinet agencies, institutions of higher education, immigration and labor organizations, public ports, state offices, and private and nonprofit organizations. The governor, or the governor's designee, shall chair such advisory committees;~~

(2) In conjunction with the legislative committee on economic development and international relations, designate foreign jurisdictions, such as national governments, subnational governments, and international organizations, as jurisdictions of strategic importance to Washington;

(3) Establish procedures and requirements for operations and expenditures to support and enhance state government partnership and relationships with foreign jurisdictions, particularly those identified as of strategic importance. Such operations and expenditures are intended to strengthen state agency economic development and policy cooperation, enable the implementation of the strategic international engagement plan, as determined by the director, and provide resources for government-to-government engagement, as well as support of inbound and outbound delegations to and from Washington state;

(4) Accept or request grants or gifts from citizens and other private sources to be used to defray the costs of appropriate hosting of foreign dignitaries, including appropriate gift-giving and reciprocal gift-giving, or other activities of the office. The office shall open and maintain a bank account into which it shall deposit all money received under this subsection. Such money and the interest accruing thereon shall not constitute public funds, shall be kept segregated and apart from funds of the state, and shall not be subject to appropriation or allotment by the state or subject to chapter 43.88 RCW.

Sec. 4. RCW 43.330.065 and 2023 c 470 s 2081 are each amended to read as follows:

~~((The department of commerce, in consultation with the office of protocol, the office of the secretary of state, the department of agriculture, and the employment security department[;])) (1) The office of international relations and protocol and the legislative committee on economic development and international relations, in consultation with the department of commerce, the department of agriculture, and other state agencies and offices as appropriate, shall jointly identify up to ((fifteen countries)) 15 foreign jurisdictions that are of strategic importance to the development and diversification of Washington's international trade relations.~~

(2) When designating such jurisdictions of strategic importance, the office and committee shall consider factors including:

- (a) Existing or potential partnerships in key industrial sectors;
- (b) The presence of cultural and people-to-people ties;
- (c) The state's economic development priorities and shared interests, consistent with the state strategic international engagement plan;
- (d) The presence of international trade offices or other program-based engagement conducted by state agencies; and
- (e) Historic or existing bilateral agreements established on a government-to-government basis.

(3) A foreign jurisdiction may not be designated as a jurisdiction of strategic importance under this section if it is currently subject to United States government sanctions for and has been identified by the United States department of state as being engaged in state-sponsored terrorism.

NEW SECTION. Sec. 5. A new section is added to chapter 43.290 RCW to read as follows:

The office of international relations and protocol shall:

- (1) Advise and assist the governor, the legislature, and other independently elected officials on international developments that may affect the state;
- (2) Establish and build government-to-government relationships between the state, foreign governments, and international organizations;
- (3) Coordinate protocol for foreign dignitaries visiting the governor, the legislature, the judiciary, and other state agencies and offices, including the appropriate criteria and procedures for the signing of bilateral agreements by the governor on behalf of the state of Washington;
- (4) Advise, coordinate, and support engagement between the state, foreign governments, and international partners;
- (5) Establish, in coordination with the office of the premier of British Columbia, an intergovernmental exchange between the state and British Columbia, cochaired by the governor and the premier of British Columbia or their designees, concerning issues of mutual interests;
- (6) Designate an international engagement advisory committee to leverage the expertise of the state's international engagement community;
- (7) Assist institutions of higher education in implementing programs for international cooperation and student exchange; and
- (8) Improve coordination between state government and the Washington tourism marketing authority.

NEW SECTION. Sec. 6. A new section is added to chapter 44.04 RCW to read as follows:

A Washington state—British Columbia interparliamentary exchange group is created. The purpose of the group is to facilitate legislator-to-legislator communication between the two governments, in coordination with the province of British Columbia. The state's representative for the group is the chair of the legislative committee on economic development and international relations.

Sec. 7. RCW 43.15.050 and 2003 c 265 s 1 are each amended to read as follows:

The legislative international trade account is created in the custody of the state treasurer. All moneys received by the president of the senate and the secretary of state from gifts, grants, and endowments for international trade hosting, international relations, and international missions activities must be deposited in the account. Only private, nonpublic gifts, grants, and endowments may be deposited in the account. A person, as defined in RCW 42.52.010, may not donate, gift, grant, or endow more than five thousand dollars per calendar year to the legislative international trade account. Expenditures from the account may be used only for the purposes of international trade hosting, international relations, and international trade mission activities, ~~((excluding travel and lodging,))~~ in which the president and members of the senate, members of the house of representatives, and the secretary of state participate in an official capacity. An appropriation is not required for expenditures. All requests by individual legislators for use of funds from this account must be first approved by the secretary of the senate for members of the senate or the chief clerk of the house of representatives for members of the house of representatives. All expenditures from the account shall be authorized by the final signed approval of ~~((the chief clerk of the house of representatives, the secretary of the senate, and))~~ the president of the senate.

Sec. 8. RCW 43.15.060 and 2020 c 114 s 20 are each amended to read as follows:

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(1) Economic development and in particular international trade, tourism, and investment have become increasingly important to Washington, affecting the state's employment, revenues, and general economic well-being. Additionally, economic trends are rapidly changing and the international marketplace has become increasingly competitive as states and countries seek to improve and safeguard their own economic well-being. The purpose of the legislative committee on economic development and international relations is to provide responsive and consistent involvement by the legislature in economic development to maintain a healthy state economy and to provide employment opportunities to Washington residents.

(2) There is created a legislative committee on economic development and international relations which shall consist of ~~((six))~~ eight senators and ~~((six))~~ eight representatives from the legislature and the lieutenant governor who shall serve as chairperson. The senate members of the committee shall be appointed by the president of the senate and the house members of the committee shall be appointed by the speaker of the house. Not more than ~~((three))~~ four members from each house shall be from the same political party. Vacancies occurring shall be filled by the appointing authority.

Sec. 9. RCW 43.15.090 and 1985 c 467 s 23 are each amended to read as follows:

The legislative committee on economic development and international relations shall cooperate, act, and function with legislative committees, executive agencies, and with the councils or committees of other states and of provinces and territories of Canada similar to this committee, and with other interstate research organizations.

NEW SECTION. Sec. 10. RCW 43.15.085 (Legislative committee on economic development and international relations—Expenses) and 1985 c 467 s 22 are each repealed.

NEW SECTION. Sec. 11. RCW 43.330.065 is recodified as a section in chapter 43.290 RCW."

On page 1, line 2 of the title, after "leadership;" strike the remainder of the title and insert "amending RCW 43.290.005, 43.290.020, 43.330.065, 43.15.050, 43.15.060, and 43.15.090; adding new sections to chapter 43.290 RCW; adding a new section to chapter 44.04 RCW; recodifying RCW 43.330.065; and repealing RCW 43.15.085."

Senator Stanford spoke in favor of not adopting the committee striking amendment.

The President declared the question before the Senate to be the motion to not adopt the committee striking amendment by the Committee on Business, Financial Services, Gaming & Trade to Engrossed Second Substitute House Bill No. 2000.

The motion by Senator Stanford carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Stanford moved that the following striking amendment no. 850 by Senator Stanford be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.290 RCW to read as follows:

(1) The office of international relations and protocol shall develop a strategic international engagement plan to guide Washington's international economic development and engagement consistent with RCW 43.290.005. The plan must create a common framework for the state's engagement in

international activities, to include: Trade missions, economic development, and interpersonal knowledge, educational, and cultural exchanges.

(2) The office may consult with entities relevant to Washington's international presence when developing the strategic plan, including: Associate development organizations, business and civic organizations, consular officials, executive and small cabinet agencies, institutions of higher education, immigration and labor organizations, public ports, state offices, state ethnic commissions, and private and nonprofit organizations.

(3) The office may utilize the resources of Results Washington for technical and operational assistance in developing the strategic plan.

(4) The office must complete an initial strategic plan by July 1, 2025. This strategic plan shall undergo periodic review to measure progress and outcomes at least every two and a half years thereafter, and it shall be fully updated at least every five years thereafter.

Sec. 2. RCW 43.290.005 and 1991 c 24 s 1 are each amended to read as follows:

The legislature finds that it is in the public interest to create an office of international relations and protocol in order to: Make international relations and protocol ~~((a—broad based,))~~ focused~~((;))~~ and functional ~~((part of))~~ across state government; provide leadership in state government and assist the legislature and state elected officials on international issues affecting the state; establish coordinated methods for responding to foreign governments and institutions seeking cooperative activities with and within Washington; coordinate and improve communication and resource sharing among various state offices, agencies, and educational institutions with international programs; develop and promote state policies that increase international ~~((heterney))~~ engagement and cross-cultural understanding among Washington state's citizens; expand Washington state's international cooperation role in such vital areas ~~((as the environment, education, science, culture, and sports))~~ of public policy as economic development, trade and industry, and tourism and sports, as well as education, culture, science, and resilience; ~~((establish coordinated methods for responding to the increasing number of inquiries by foreign governments and institutions seeking cooperative activities within Washington state; provide leadership in state government on international relations and assistance to the legislature and state elected officials on international issues affecting the state;))~~ and assist with multistate international efforts~~((; and coordinate and improve communication and resource sharing among various state offices, agencies, and educational institutions with international programs))~~.

It is the purpose of this chapter to bring these functions together in a new office under the office of the governor in order to establish a visible, coordinated, and comprehensive approach to international relations and protocol.

Sec. 3. RCW 43.290.020 and 1991 c 24 s 4 are each amended to read as follows:

The office of international relations and protocol may:

(1) Create ~~((temporary))~~ advisory committees as necessary to ~~((deal with specific international issues))~~ execute its responsibilities. The duration and composition of such advisory committees may be determined by the office. Advisory committee representation may include statewide elected officials from the executive branch, or their designees, as well as representatives of the legislative branch and the judiciary. Representation may also include external organizations such as ~~((the Seattle consular corps,))~~ world affairs councils, public ports,

~~world trade organizations, ((private nonprofit organizations dealing with international education or international environmental issues, organizations concerned with international understanding, businesses with experience in international relations, or other organizations deemed appropriate by the director)) associate development organizations, business and civic organizations, consular officials, executive and small cabinet agencies, institutions of higher education, immigration and labor organizations, public ports, state offices, and private and nonprofit organizations. The governor, or the governor's designee, shall chair such advisory committees;~~

~~(2) In conjunction with the legislative committee on economic development and international relations, designate foreign jurisdictions, such as national governments, subnational governments, and international organizations, as jurisdictions of strategic importance to Washington;~~

~~(3) Establish procedures and requirements for operations and expenditures to support and enhance state government partnership and relationships with foreign jurisdictions, particularly those identified as of strategic importance. Such operations and expenditures are intended to strengthen state agency economic development and policy cooperation, enable the implementation of the strategic international engagement plan, as determined by the director, and provide resources for government-to-government engagement, as well as support of inbound and outbound delegations to and from Washington state;~~

~~(4) Accept or request grants or gifts from citizens and other private sources to be used to defray the costs of appropriate hosting of foreign dignitaries, including appropriate gift-giving and reciprocal gift-giving, or other activities of the office. The office shall open and maintain a bank account into which it shall deposit all money received under this subsection. Such money and the interest accruing thereon shall not constitute public funds, shall be kept segregated and apart from funds of the state, and shall not be subject to appropriation or allotment by the state or subject to chapter 43.88 RCW.~~

~~Sec. 4. RCW 43.330.065 and 2023 c 470 s 2081 are each amended to read as follows:~~

~~((The department of commerce, in consultation with the office of protocol, the office of the secretary of state, the department of agriculture, and the employment security department[.])) (1) The office of international relations and protocol and the legislative committee on economic development and international relations, in consultation with the department of commerce, the department of agriculture, the office of the secretary of state, and other state agencies and offices as appropriate, shall jointly identify up to ((fifteen countries)) 15 foreign jurisdictions that are of strategic importance to the development and diversification of Washington's international trade relations.~~

~~(2) When designating such jurisdictions of strategic importance, the office and committee shall consider factors including:~~

- ~~(a) Existing or potential partnerships in key industrial sectors;~~
- ~~(b) The presence of cultural and people-to-people ties;~~
- ~~(c) The state's economic development priorities and shared interests, consistent with the state strategic international engagement plan;~~
- ~~(d) The presence of international trade offices or other program-based engagement conducted by state agencies; and~~
- ~~(e) Historic or existing bilateral agreements established on a government-to-government basis.~~

~~(3) A foreign jurisdiction may not be designated as a jurisdiction of strategic importance under this section if it is currently subject to United States government sanctions for and~~

~~has been identified by the United States department of state as being engaged in state-sponsored terrorism.~~

~~NEW SECTION. Sec. 5. A new section is added to chapter 43.290 RCW to read as follows:~~

~~The office of international relations and protocol shall:~~

~~(1) Advise and assist the governor, the legislature, and other independently elected officials on international developments that may affect the state;~~

~~(2) Establish and build government-to-government relationships between the state, foreign governments, and international organizations;~~

~~(3) Coordinate protocol for foreign dignitaries visiting the governor, the legislature, the judiciary, and other state agencies and offices, including the appropriate criteria and procedures for the signing of bilateral agreements by the governor on behalf of the state of Washington;~~

~~(4) Advise, coordinate, and support engagement between the state, foreign governments, and international partners;~~

~~(5) Establish, in coordination with the office of the premier of British Columbia, an intergovernmental exchange between the state and British Columbia, cochaired by the governor and the premier of British Columbia or their designees, concerning issues of mutual interests;~~

~~(6) Designate an international engagement advisory committee to leverage the expertise of the state's international engagement community;~~

~~(7) Assist institutions of higher education in implementing programs for international cooperation and student exchange; and~~

~~(8) Improve coordination between state government and the Washington tourism marketing authority.~~

~~NEW SECTION. Sec. 6. A new section is added to chapter 44.04 RCW to read as follows:~~

~~A Washington state—British Columbia interparliamentary exchange group is created. The purpose of the group is to facilitate legislator-to-legislator communication between the two governments, in coordination with the province of British Columbia. The state's representative for the group is the chair of the legislative committee on economic development and international relations.~~

~~Sec. 7. RCW 43.15.050 and 2003 c 265 s 1 are each amended to read as follows:~~

~~The legislative international trade account is created in the custody of the state treasurer. All moneys received by the president of the senate and the secretary of state from gifts, grants, and endowments for international trade hosting, international relations, and international missions activities must be deposited in the account. Only private, nonpublic gifts, grants, and endowments may be deposited in the account. A person, as defined in RCW 42.52.010, may not donate, gift, grant, or endow more than five thousand dollars per calendar year to the legislative international trade account. Expenditures from the account may be used only for the purposes of international trade hosting, international relations, and international trade mission activities, ((excluding travel and lodging,)) in which the president and members of the senate, members of the house of representatives, and the secretary of state participate in an official capacity. An appropriation is not required for expenditures. All requests by individual legislators for use of funds from this account must be first approved by the secretary of the senate for members of the senate or the chief clerk of the house of representatives for members of the house of representatives. All expenditures from the account shall be authorized by the final signed approval of ((the chief clerk of the house of representatives, the secretary of the senate, and)) the president of the senate.~~

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Sec. 8. RCW 43.15.060 and 2020 c 114 s 20 are each amended to read as follows:

(1) Economic development and in particular international trade, tourism, and investment have become increasingly important to Washington, affecting the state's employment, revenues, and general economic well-being. Additionally, economic trends are rapidly changing and the international marketplace has become increasingly competitive as states and countries seek to improve and safeguard their own economic well-being. The purpose of the legislative committee on economic development and international relations is to provide responsive and consistent involvement by the legislature in economic development to maintain a healthy state economy and to provide employment opportunities to Washington residents.

(2) There is created a legislative committee on economic development and international relations which shall consist of ~~((six))~~ eight senators and ~~((six))~~ eight representatives from the legislature and the lieutenant governor who shall serve as chairperson. The senate members of the committee shall be appointed by the president of the senate and the house members of the committee shall be appointed by the speaker of the house. Not more than ~~((three))~~ four members from each house shall be from the same political party. Vacancies occurring shall be filled by the appointing authority.

Sec. 9. RCW 43.15.090 and 1985 c 467 s 23 are each amended to read as follows:

The legislative committee on economic development and international relations shall cooperate, act, and function with legislative committees, executive agencies, and with the councils or committees of other states and of provinces and territories of Canada similar to this committee, and with other interstate research organizations.

NEW SECTION. Sec. 10. RCW 43.330.065 is recodified as a section in chapter 43.290 RCW."

On page 1, line 2 of the title, after "leadership;" strike the remainder of the title and insert "amending RCW 43.290.005, 43.290.020, 43.330.065, 43.15.050, 43.15.060, and 43.15.090; adding new sections to chapter 43.290 RCW; adding a new section to chapter 44.04 RCW; and recodifying RCW 43.330.065."

The President declared the question before the Senate to be the adoption of striking amendment no. 850 by Senator Stanford to Engrossed Second Substitute House Bill No. 2000.

The motion by Senator Stanford carried and striking amendment no. 850 was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Second Substitute House Bill No. 2000 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2000 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2000 as amended by the Senate

and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2230, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Representatives Peterson, Eslick, Gregerson, Ramel, Reed, and Waters)

Promoting economic inclusion by creating the economic security for all grant program.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute House Bill No. 2230 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senator Van De Wege was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2230.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2230 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Padden

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 2230, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1915, by House Committee on Education (originally sponsored by Representatives Rude, Stonier, Connors, Riccelli, Couture, Senn, McEntire, Santos, Steele, Bergquist, Harris, Walen, McClintock, Eslick, Cheney, Thai, Ortiz-Self, Bronoske, Leavitt, Corry, Tharinger, Low, Ryu, Christian, Slatter, Schmidt, Ramel, Barkis, Ramos, Cortes, Morgan, Reed, Graham, Ormsby, Barnard, Jacobsen, Fey, Timmons, Callan, Rule, Street, Chopp, Doglio, Sandlin, Goodman, Caldier, Berg, Robertson, Wylie, Hutchins, Reeves, Lekanoff, Shavers, Davis, and Griffey)

Making financial education instruction a graduation prerequisite and a required component of public education.

The measure was read the second time.

MOTION

Senator Wellman moved that the following striking amendment no. 752 by Senator Wellman be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes that acquiring and applying a basic knowledge of personal finance is critical to the economic well-being of all adults. Without this knowledge, persons are much less well equipped to navigate the complicated financial issues of modern life, including household budgets, consumer debt, loan applications and obligations, and successful retirement planning.

(2) The legislature also recognizes that it has taken meaningful steps to support financial education instruction in public schools, including establishing the financial education public-private partnership in 2004, adopting financial education learning standards in 2015, and providing funds in 2022 for financial education professional development for certificated staff.

(3) In recognition of the relevance and importance of personal finance knowledge, the ongoing efforts of the financial education public-private partnership, and the ability of public schools to teach or continue teaching financial education instruction, the legislature intends to ensure that all Washington students are provided financial education instruction. Therefore, the legislature intends to make financial education instruction a required component of public education while maximizing flexibility for school districts to implement the instruction in a manner that recognizes their local circumstances.

Sec. 2. RCW 28A.300.468 and 2015 c 211 s 4 are each amended to read as follows:

~~((+))~~ After consulting with the financial education public-private partnership, the office of the superintendent of public instruction shall make available to all school districts a list of instructional materials that align with the financial education learning standards ~~((integrated into the state learning standards pursuant to RCW 28A.300.460(2)(d)).~~

~~(2) School districts shall provide all students in grades nine through twelve the opportunity to access the financial education standards, whether through a regularly scheduled class period; before or after school; during lunch periods; at library and study time; at home; via online learning opportunities; through career and technical education course equivalencies; or other opportunities. School districts shall publicize the availability of financial education opportunities to students and their families. School districts are encouraged to grant credit toward high school~~

~~graduation to students who successfully complete financial education courses)) adopted in RCW 28A.300.469.~~

NEW SECTION. Sec. 3. A new section is added to chapter 28A.230 RCW to read as follows:

(1)(a) Beginning in or before the 2027-28 school year, each school district that operates a high school shall provide all high school students with access to no less than one-half credit of financial education instruction.

(b) The content and instruction required by this subsection (1) may be provided in stand-alone courses or embedded into other courses and subject areas.

(c) Instruction provided in accordance with this subsection (1) must conform with the state financial education learning standards adopted in RCW 28A.300.469.

(2)(a) By December 15, 2025, school districts shall submit to the state board of education and the financial education public-private partnership established in RCW 28A.300.450:

(i) A list of the financial education instruction courses implemented for students during or prior to the 2024-25 school year; and

(ii) A description of the school district actions and other considerations necessary to implement this section.

(b) The financial education public-private partnership shall analyze the information provided under (a) of this subsection and create a statewide implementation plan for the requirements of this section. The plan, which must be submitted to the office of the superintendent of public instruction, the state board of education, and, in accordance with RCW 43.01.036, the appropriate committees of the legislature by September 30, 2026, may include recommendations for additional funding for grants to integrate financial literacy education into professional development for certificated staff and other school district resources in accordance with submissions provided under (a) of this subsection.

(3) Beginning no later than the 2027-28 school year, school districts shall publicize the offering of financial education instruction to students and their parents or legal guardians.

(4)(a) The state board of education shall review and monitor financial education offerings to ensure school district compliance with the requirements of subsection (1)(a) of this section. The reviews and monitoring required by this subsection (4) may be conducted concurrently with other oversight and monitoring conducted by the state board of education.

(b) The state board of education, in accordance with RCW 43.01.036, shall provide a summary of the information collected under this subsection (4) for school years 2027-28 and 2028-29 to the appropriate committees of the legislature by January 10, 2030.

(5) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW to the same extent as it applies to school districts."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28A.300.468; adding a new section to chapter 28A.230 RCW; and creating a new section."

MOTION

Senator Wellman moved that the following amendment no. 805 by Senator Wellman be adopted:

On page 3, after line 23, insert the following:

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"NEW SECTION. **Sec. 4.** Section 2 of this act takes effect August 31, 2027."

On page 3, line 26, after "RCW;" strike "and creating a new section" and insert "creating a new section; and providing an effective date"

Senator Wellman spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 805 by Senator Wellman on page 3, after line 23 to striking amendment no. 752.

The motion by Senator Wellman carried and amendment no. 805 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 752 by Senator Wellman as amended to Substitute House Bill No. 1915.

The motion by Senator Wellman carried and striking amendment no. 752 as amended was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute House Bill No. 1915 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1915 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1915 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Fortunato

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1915 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 8:34 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Friday, March 1, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

End of Volume.

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