

THIRTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, February 13, 2018

The Senate was called to order at 9:31 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Baumgartner and Walsh.

The Sergeant at Arms Color Guard consisting of Pages Mr. Marshall Tibbs and Mr. John Lustig, presented the Colors.

Miss Daksha Magesh led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Tim Shellenberger of Centralia Bible Baptist Church. Pastor Shellenberger is a guest of Senator Braun.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 6610 by Senator Carlyle
Relating to environment.

Referred to Committee on Ways & Means.

SB 6611 by Senator Takko
Relating to local government.

Referred to Committee on Ways & Means.

SB 6612 by Senator Cleveland
Relating to health care.

Referred to Committee on Ways & Means.

SB 6613 by Senator Hunt
Relating to state government.

Referred to Committee on Ways & Means.

EHB 1031 by Representatives Lytton, Morris, Tarleton, Fitzgibbon, Springer, Gregerson and Hudgins
AN ACT Relating to the use of unmanned aerial systems near certain protected marine species; and amending RCW 77.15.740.

Referred to Committee on Energy, Environment & Technology.

ESHB 1047 by House Committee on Health Care & Wellness (originally sponsored by Representatives Peterson, Appleton, Stanford, Robinson, Lytton, Ormsby, Senn, Jinkins, Bergquist, Frame, Gregerson, Doglio, Fey,

Tharinger, Ryu, Kilduff, Macri, Hudgins, Farrell, Sawyer and Cody)

AN ACT Relating to protecting the public's health by creating a system for safe and secure collection and disposal of unwanted medications; amending RCW 69.41.030; reenacting and amending RCW 42.56.270; adding a new section to chapter 69.50 RCW; adding a new section to chapter 70.95 RCW; adding a new chapter to Title 69 RCW; creating a new section; providing an expiration date; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

ESHB 1155 by House Committee on Public Safety (originally sponsored by Representatives Griffey, Orwall, Klippert, McCabe, Kraft, Caldier, Muri, Bergquist, Stanford, Fitzgibbon, McDonald, Doglio and Macri)

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

Referred to Committee on Law & Justice.

ESHB 1233 by House Committee on Technology & Economic Development (originally sponsored by Representatives Morris, Tarleton and Hudgins)

AN ACT Relating to enabling electric utilities to prepare for the distributed energy future; and adding a new section to chapter 19.280 RCW.

Referred to Committee on Energy, Environment & Technology.

2SHB 1377 by House Committee on Education (originally sponsored by Representatives Ortiz-Self, Stonier, Santos, Lovick, Gregerson, Peterson, Ryu, Appleton, Fitzgibbon, Goodman, Bergquist and Doglio)

AN ACT Relating to improving students' mental health by enhancing nonacademic professional services; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.410 RCW; creating new sections; and providing expiration dates.

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

E2SHB 1600 by House Committee on Education (originally sponsored by Representatives Santos, Pettigrew, Harris, Young, Stonier, Pike, Appleton, Johnson, Fey, Bergquist, Hudgins, Kraft, Slatter and Tarleton)

AN ACT Relating to increasing the career and college readiness of public school students; adding a new section to chapter 28A.630 RCW; adding new sections to chapter 28A.300 RCW; and providing expiration dates.

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

E2SHB 1622 by House Committee on Appropriations (originally sponsored by Representatives Senn, Springer, Tharinger, Ormsby and Fey)

AN ACT Relating to the state building code council; amending RCW 19.27.015, 19.27.035, 19.27.070, 19.27.074, 19.27.085, 19.27A.020, and 18.08.240; reenacting and amending RCW 34.05.328; adding a new section to chapter 19.27 RCW; and adding a new section to chapter 18.08 RCW.

Referred to Committee on State Government, Tribal Relations & Elections.

E4SHB 1827 by House Committee on Appropriations (originally sponsored by Representatives Santos, Tarleton, Fey, Doglio, Pollet and Ortiz-Self)

AN ACT Relating to expanding the current and future educator workforce supply through evidence-based strategies to improve and incentivize the recruitment and retention of highly effective educators, especially in high-need subject, grade-level, and geographic areas, and to establish a cohesive continuum of high quality professional learning from preparation programs to job embedded induction, mentoring, collaboration, and other professional development opportunities; amending RCW 28A.415.370, 28A.660.020, 28A.660.035, 28B.10.033, 28B.76.699, 28A.630.205, 28B.102.020, 28B.102.030, 28B.102.045, 28B.102.090, 28A.660.042, 28A.660.045, 28B.102.055, 28B.102.080, 43.79A.040, 28B.15.558, 28A.415.265, 28A.405.100, and 41.32.068; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.630 RCW; adding new sections to chapter 28A.410 RCW; adding new sections to chapter 28B.102 RCW; adding a new section to chapter 28A.660 RCW; adding a new section to chapter 28B.76 RCW; creating new sections; recodifying RCW 28A.660.042, 28A.660.045, and 28A.630.205; repealing RCW 28B.102.010, 28B.102.040, 28B.102.050, 28B.102.060, 28A.660.050, and 28A.660.055; providing expiration dates; and declaring an emergency.

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

EHB 1849 by Representatives Sells, Doglio, Pollet, Ormsby, Tharinger and Farrell

AN ACT Relating to compliance with apprenticeship utilization requirements; amending RCW 39.04.310, 39.04.320, 39.04.350, and 39.12.055; and adding a new section to chapter 49.04 RCW.

Referred to Committee on Transportation.

2SHB 1896 by House Committee on Appropriations (originally sponsored by Representatives Dolan, Stonier, Lovick, Springer, Appleton, Bergquist, Manweller, Tarleton, Frame, Goodman and Ormsby)

AN ACT Relating to the expansion of civics education in public schools; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.300 RCW; creating a new section; and repealing RCW 28A.230.093.

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

E2SHB 2009 by House Committee on Appropriations (originally sponsored by Representatives Reeves, Stonier, Riccelli, Peterson, Doglio, Jinkins, Kilduff,

Lovick, Tarleton, McBride, Ormsby, Stanford, Orwall, Muri, Slatter, Ryu and Fey)

AN ACT Relating to providing higher education support for gold star families; amending RCW 28B.15.621; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

E2SHB 2177 by House Committee on Appropriations (originally sponsored by Representatives Chapman, Steele, Frame and Tharinger)

AN ACT Relating to creating the rural county high employer demand jobs program; amending RCW 28B.145.020, 28B.145.090, and 28B.145.070; adding new sections to chapter 28B.145 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

EHB 2259 by Representatives Dolan, Doglio, Hudgins and Jinkins

AN ACT Relating to the state auditor's duties and procedures; amending RCW 43.09.185, 43.09.186, 43.09.230, 43.09.420, and 43.09.440; repealing RCW 43.09.265; repealing 2012 c 164 s 709, and 2012 c 1 s 201 (uncodified).

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 2282 by House Committee on Technology & Economic Development (originally sponsored by Representatives Hansen, Cody, Goodman, Pettigrew, Tarleton, Fey, DeBolt, Bergquist, Springer, Santos, McBride, Smith, Chapman, Slatter, Peterson, Wylie, Fitzgibbon, Morris, Stonier, Lytton, Sawyer, Robinson, Tharinger, Kagi, Pellicciotti, Dolan, Orwall, Valdez, Haler, Kilduff, Senn, Frame, Sells, Kirby, Stanford, Blake, Reeves, Clibborn, Macri, Kloba, Appleton, Stambaugh, Jinkins, Ormsby, Ryu, Hayes, Pollet, Doglio, Ortiz-Self, Riccelli, McDonald and Gregerson)

AN ACT Relating to protecting an open internet in Washington state; adding a new chapter to Title 19 RCW; and providing a contingent effective date.

Referred to Committee on Energy, Environment & Technology.

SHB 2361 by House Committee on Public Safety (originally sponsored by Representatives Pellicciotti, Goodman, Stanford, Macri, Jinkins, Ormsby and Kraft)

AN ACT Relating to increasing access to emergency assistance for victims by providing immunity from prosecution for prostitution offenses in some circumstances; and adding a new section to chapter 9A.88 RCW.

Referred to Committee on Law & Justice.

ESHB 2362 by House Committee on Public Safety (originally sponsored by Representatives Pellicciotti, Sawyer, Robinson, Dolan, Chapman, Kilduff, Stanford, Macri, Ryu, Ormsby and Doglio)

AN ACT Relating to crime committed by business entities; amending RCW 9A.08.030, 10.01.070, 10.01.090, and 10.01.100; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 2367 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Reeves, Slatter, Tharinger, Robinson, Kagi, Dolan, Kilduff, Chapman, Doglio, Riccelli and Stonier)

AN ACT Relating to establishing a child care collaborative task force; creating a new section; and providing an expiration date.

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

3SHB 2382 by House Committee on Transportation (originally sponsored by Representatives Ryu, Kagi and Valdez)

AN ACT Relating to promoting the use of surplus public property for public benefit; amending RCW 43.63A.510, 43.17.400, 35.94.040, 43.09.210, 43.43.115, 43.82.010, and 47.12.063; and adding a new section to chapter 39.33 RCW.

Referred to Committee on Human Services & Corrections.

ESHB 2489 by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Rodne, Harris, Caldier, Macri, Robinson, Jinkins, Muri, Kagi, McBride, Wylie, Peterson, Slatter, Hayes, Sawyer, Pollet, Doglio, Kloba, Tharinger, Ormsby, Johnson and Kilduff)

AN ACT Relating to opioid use disorder treatment, prevention, and related services; amending RCW 71.24.585, 71.24.595, 71.24.560, 71.24.011, 69.41.095, 71.24.585, 71.24.595, 70.225.010, 70.225.040, 70.168.090, and 70.41.480; amending 2005 c 70 s 1 (uncodified); reenacting and amending RCW 70.225.020; adding new sections to chapter 71.24 RCW; adding a new section to chapter 70.225 RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 18.64 RCW; adding a new section to chapter 69.50 RCW; adding new sections to chapter 43.70 RCW; adding a new section to chapter 18.22 RCW; adding a new section to chapter 18.32 RCW; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new section to chapter 18.79 RCW; creating a new section; and providing contingent effective dates.

Referred to Committee on Health & Long Term Care.

HB 2529 by Representatives Kraft, Hudgins and McBride

AN ACT Relating to the costs of election administration; creating a new section; and providing an expiration date.

Referred to Committee on State Government, Tribal Relations & Elections.

ESHB 2563 by House Committee on Commerce & Gaming (originally sponsored by Representatives Condotta and Sawyer)

AN ACT Relating to consumer sales price notification regarding spirits sold at retail for off-premises consumption; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Labor & Commerce.

ESHB 2565 by House Committee on Health Care & Wellness (originally sponsored by Representative Schmick)

AN ACT Relating to drug and gene therapy payment for medicaid managed care organizations; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health & Long Term Care.

EHB 2570 by Representatives Stambaugh, Robinson, Jinkins, Wylie, Muri, Graves, Doglio, Fitzgibbon, Pollet, Hayes, Riccelli and Stonier

AN ACT Relating to a database of pharmacies offering vaccines and self-administered hormonal contraceptives through collaborative drug therapy agreements; adding a new section to chapter 43.70 RCW; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health & Long Term Care.

E2SHB 2578 by House Committee on Appropriations (originally sponsored by Representatives Riccelli, Kirby, Macri, Peterson, Appleton, McBride, Frame, Doglio, Stanford, Goodman, Senn, Gregerson, Wylie, Sawyer, Kloba, Santos, Ormsby, Robinson and Bergquist)

AN ACT Relating to ensuring housing options; amending RCW 36.22.178; amending 2017 3rd sp.s. c 4 s 1028 (uncodified); adding a new section to chapter 59.18 RCW; adding new sections to chapter 43.31 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

SHB 2612 by House Committee on Transportation (originally sponsored by Representatives Condotta and Steele)

AN ACT Relating to tow truck operators; amending RCW 46.76.030, 46.76.060, 46.76.065, 46.76.067, 46.76.080, 46.79.060, and 46.80.060; adding a new section to chapter 46.55 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

ESHB 2684 by House Committee on Education (originally sponsored by Representatives Caldier, Senn, Kagi, Kilduff, Ortiz-Self, Johnson, Muri and McBride)

AN ACT Relating to defining best practices for the process and people involved in best interest determination of students in out-of-home care; amending RCW 74.13.560 and 74.13.631; adding new sections to chapter 28A.225 RCW; adding a new section to chapter 28A.320 RCW; repealing RCW 28A.300.800; and providing an effective date.

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

SHB 2686 by House Committee on Education (originally sponsored by Representatives Ortiz-Self, Santos, Dolan, Frame, Bergquist, Doglio, Sells and Ryu)

AN ACT Relating to high school and beyond plans; amending RCW 28A.230.090; and adding a new section to chapter 28A.230 RCW.

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

HB 2694 by Representatives Volz, Griffey, Holy, Ormsby, Maycumber, Muri and Condotta
AN ACT Relating to authorizing county treasurers to contract with other treasurers for services; and amending RCW 36.29.010.

Referred to Committee on Local Government.

EHB 2735 by Representatives Young, Peterson and Kretz
AN ACT Relating to public disclosure of certain information procured or obtained pursuant to a loan or grant application under the underground storage tank revolving loan and grant program; and amending RCW 42.56.270.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 2748 by House Committee on Education (originally sponsored by Representatives Santos, Stonier, Muri and Pollet)
AN ACT Relating to modifying the learning assistance program to balance local control and state accountability by making the allowable uses of program funds more flexible and requiring that the expenditure of funds be consistent with the Washington integrated student supports protocol; amending RCW 28A.165.055, 28A.165.005, 28A.165.035, 28A.165.100, 28A.710.280, 28A.165.065, 28A.300.139, and 28A.320.190; creating new sections; providing an effective date; and providing an expiration date.

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

ESHB 2802 by House Committee on Education (originally sponsored by Representatives Kloba, Johnson, Stonier, Macri, Valdez, Fey and Stanford)
AN ACT Relating to expanded learning opportunities; amending RCW 28A.630.121, 28A.630.122, 28A.630.123, 28A.630.124, and 28A.300.130; adding new sections to chapter 28A.300 RCW; recodifying RCW 28A.630.121, 28A.630.122, 28A.630.123, and 28A.630.124; repealing RCW 28A.630.125, 28A.630.126, 28A.630.127, and 28A.630.129; and repealing 2015 c 163 s 2 (uncodified).

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

HB 2821 by Representatives McCabe, Manweller, Sells and Gregerson
AN ACT Relating to delegation of inspection duties; and amending RCW 43.22.470 and 43.22.450.

Referred to Committee on Labor & Commerce.

HB 2832 by Representatives Kilduff, Stambaugh, Tarleton, Haler, Orwall, Graves, Kagi, Hudgins, Appleton, Doglio, Pollet, Gregerson and Santos
AN ACT Relating to ensuring the passport to college promise program is available to certain populations of foster youth; and amending RCW 28B.117.020, 28B.117.030, and 28B.117.040.

Referred to Committee on Higher Education & Workforce Development.

ESHB 2839 by House Committee on Technology & Economic Development (originally sponsored by Representatives Morris, Slatter, Doglio and Fitzgibbon)
AN ACT Relating to authorizing an alternative form of regulation of electrical and natural gas companies; amending RCW 80.28.005 and 80.28.010; adding a new section to chapter 80.28 RCW; and creating a new section.

Referred to Committee on Energy, Environment & Technology.

MOTION

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

MOTION

On motion of Senator Liias, Rule 15 was suspended for the remainder of the day for the purpose 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

On motion of Senator Liias, 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.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias and without objection, senators were limited to speaking but once and for no more than three minutes on each question under debate for the remainder of the day by voice vote.

MOTION

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

MOTION

Senator Ranker moved adoption of the following resolution:

SENATE RESOLUTION 8683

By Senator Ranker

WHEREAS, On February 13, 2018, the six public baccalaureate institutions in the state of Washington joined together to highlight the innovative undergraduate research and programming led by students and faculty across campuses; and
WHEREAS, Undergraduate research opportunities in higher

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

education provide many benefits to students, including hands-on experience that leads to career preparation and increased participation in graduate education, increased critical thinking and problem solving skills, improved retention, and enriched learning through collaborative research and scholarship with faculty mentors; and

WHEREAS, The undergraduate research performed at Washington's public higher education institutions demonstrate a shared commitment to solving a diverse range of complex and unique challenges faced by individuals, families, and communities in the state of Washington; and

WHEREAS, Undergraduate research tackles a myriad of topics including in STEM fields and contributes to the state of Washington's commitment to solving global challenges; and

WHEREAS, Examples of current undergraduate research efforts at Washington's public four-year institutions include the development of solar windows to harness energy from the sun, innovations in cybersecurity, assessing the relationship between heat exposure and early markers of kidney injury in agricultural workers, developing an award winning Mars rover, and improving recruitment and retention of math and science teachers in K-12 schools; and

WHEREAS, Partnerships between Washington's public higher education institutions are strengthened through cross-collaborations to advance research and learning; and

WHEREAS, Washington residents often choose to attend college in state because of such partnerships and the unparalleled access to undergraduate research opportunities with world-class faculty provided by Washington's six public baccalaureate institutions; and

WHEREAS, Undergraduate research highlights the extraordinary achievements of faculty and undergraduate students in and outside of the classroom to affect change;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington recognize undergraduate research day in celebration of the innovative research developed to advance excellence and solve problems faced by communities across the state and globally, noting that faculty and students, with their achievements in research, bring honor and pride to our state.

Senator Ranker spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8683.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students, faculty, and administrators visiting for undergraduate research day who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Honeyford: "Thank you Mr. President. Well today is a very special day for someone I have a great deal of respect and admiration for. And this person has been a huge assistance in my twenty years in the Senate. And so, this individual is sitting on the podium and I wish her a happy birthday Jeannie. Thank you Mr. President."

REMARKS BY THE PRESIDENT

President Habib: "I want to point out that Jeannie being Jeannie and self effacing she just asked me to call your point of

personal privilege dilatory Senator Honeyford, but the President does not find it to be dilatory. Jeannie, truly without you I would irritate even more people in this chamber than I do already. You have taught me so much. I know you taught my predecessor so much, and your colleagues, the members of this chamber and the one thing I think we can all offer Jeannie is that unlike last year when she missed her children's birthday on June 30 to be with us here, she will be able to spend some time with family on June 30 if not necessarily today on your birthday Jeannie. Would the Senate please join me in wishing her a very happy birthday with us today?"

EDITOR'S NOTE: The Senate wished Jeannie Gorrell a happy birthday with a round of standing applause.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. I join Senator Honeyford in wishing Jeannie a happy birthday and I am so impressed in all that she has accomplished in thirty-nine short years here with us, and we look forward to many more to come."

MOTION

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

SECOND READING

SENATE BILL NO. 6087, by Senators Mullet, Palumbo, Carlyle, Braun, Kuderer, Dhingra, Pedersen, Takko, McCoy, Liias and Conway

Modifying the Washington advanced college tuition payment and college savings programs.

The measure was read the second time.

MOTION

Senator Mullet moved that the following striking floor amendment no. 443 by be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.95.020 and 2016 c 69 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) "Academic year" means the regular nine-month, three-quarter, or two-semester period annually occurring between August 1st and July 31st.

(2) "Account" means the Washington advanced college tuition payment program account established for the deposit of all money received by the office from eligible purchasers and interest earnings on investments of funds in the account, as well as for all expenditures on behalf of eligible beneficiaries for the redemption of tuition units and for the development of any authorized college savings program pursuant to RCW 28B.95.150.

(3) "Advisor sold" means a channel through which a broker dealer, investment advisor, or other financial intermediary recommends the Washington college savings program established pursuant to RCW 28B.95.010 to eligible investors and assists with the opening and servicing of individual college savings program accounts.

(4) "College savings program account" means the Washington college savings program account established pursuant to RCW ~~(28B.95.010)~~ 28B.95.085.

(5) "Committee on advanced tuition payment and college savings" or "committee" means a committee of the following members: The state treasurer, the director of the office of financial management, the director of the office, or their designees, and two members to be appointed by the governor, one representing program participants and one private business representative with marketing, public relations, or financial expertise.

(6) "Contractual obligation" means a legally binding contract of the state with the purchaser and the beneficiary establishing that purchases of tuition units in the advanced college tuition payment program will be worth the same number of tuition units at the time of redemption as they were worth at the time of the purchase, except as provided in RCW 28B.95.030 (7) and (8).

(7) "Dual credit fees" means any fees charged to a student for participation in college in the high school under RCW 28A.600.290 or running start under RCW 28A.600.310.

(8) "Eligible beneficiary" means the person designated as the individual whose education expenses are to be paid from the advanced college tuition payment program or the college savings program. Qualified organizations, as allowed under section 529 of the federal internal revenue code, purchasing tuition unit contracts as future scholarships need not designate a beneficiary at the time of purchase.

(9) "Eligible contributor" means an individual or organization that contributes money for the purchase of tuition units, and for an individual college savings program account established pursuant to this chapter for an eligible beneficiary.

(10) "Eligible purchaser" means an individual or organization that has entered into a tuition unit contract with the governing body for the purchase of tuition units in the advanced college tuition payment program for an eligible beneficiary, or that has entered into a participant college savings program account contract for an eligible beneficiary. The state of Washington may be an eligible purchaser for purposes of purchasing tuition units to be held for granting Washington college bound scholarships.

(11) "Full-time tuition charges" means resident tuition charges at a state institution of higher education for enrollments between ten credits and eighteen credit hours per academic term.

(12) "Governing body" means the committee empowered by the legislature to administer the Washington advanced college tuition payment program and the Washington college savings program.

(13) "Individual college savings program account" means the formal record of transactions relating to a Washington college savings program beneficiary.

(14) "Institution of higher education" means an institution that offers education beyond the secondary level and is recognized by the internal revenue service under chapter 529 of the internal revenue code.

(15) "Investment board" means the state investment board as defined in chapter 43.33A RCW.

(16) "Investment manager" means the state investment board, another state, or any other entity as selected by the governing body, including another college savings plan established pursuant to section 529 of the internal revenue code.

(17) "Office" means the office of student financial assistance as defined in chapter 28B.76 RCW.

(18) "Owner" means the eligible purchaser or the purchaser's successor in interest who shall have the exclusive authority to make decisions with respect to the tuition unit contract or the individual college savings program contract. The owner has exclusive authority and responsibility to establish and change the

asset investment options for a beneficiaries' individual college savings program account.

(19) "Participant college savings program account contract" means a contract to participate in the Washington college savings program between an eligible purchaser and the office.

(20) "State institution of higher education" means institutions of higher education as defined in RCW 28B.10.016.

(21) "Tuition and fees" means undergraduate tuition and services and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded to the nearest whole dollar. For purposes of this chapter, services and activities fees do not include fees charged for the payment of bonds heretofore or hereafter issued for, or other indebtedness incurred to pay, all or part of the cost of acquiring, constructing, or installing any lands, buildings, or facilities.

(22) "Tuition unit contract" means a contract between an eligible purchaser and the governing body, or a successor agency appointed for administration of this chapter, for the purchase of tuition units in the advanced college tuition payment program for a specified beneficiary that may be redeemed at a later date for an equal number of tuition units, except as provided in RCW 28B.95.030 (7) and (8).

(23) "Unit cash value price" means the total value of assets under management in the advanced college tuition payment program on a date to be determined by the committee, divided by the total number of outstanding credits purchased by eligible purchasers before July 1, 2015, and any outstanding credits accrued by eligible purchasers as a result of the July 2017 unit rebate.

(24) "Unit purchase price" means the minimum cost to purchase one tuition unit in the advanced college tuition payment program for an eligible beneficiary. Generally, the minimum purchase price is one percent of the undergraduate tuition and fees for the current year, rounded to the nearest whole dollar, adjusted for the costs of administration and adjusted to ensure the actuarial soundness of the account. The analysis for price setting shall also include, but not be limited to consideration of past and projected patterns of tuition increases, program liability, past and projected investment returns, and the need for a prudent stabilization reserve.

Sec. 2. RCW 28B.95.030 and 2016 c 69 s 4 are each amended to read as follows:

(1) The Washington advanced college tuition payment program shall be administered by the committee on advanced tuition payment which shall be chaired by the director of the office. The committee shall be supported by staff of the office.

(2)(a) The Washington advanced college tuition payment program shall consist of the sale of tuition units, which may be redeemed by the beneficiary at a future date for an equal number of tuition units regardless of any increase in the price of tuition, that may have occurred in the interval, except as provided in subsections (7) and (8) of this section.

(b) Each purchase shall be worth a specific number of or fraction of tuition units at each state institution of higher education as determined by the governing body, except as provided in subsections (7) and (8) of this section.

(c) The number of tuition units necessary to pay for a full year's, full-time undergraduate tuition and fee charges at a state institution of higher education shall be set by the governing body at the time a purchaser enters into a tuition unit contract, except as provided in subsections (7) and (8) of this section.

(d) The governing body may limit the number of tuition units purchased by any one purchaser or on behalf of any one beneficiary, however, no limit may be imposed that is less than that necessary to achieve four years of full-time, undergraduate

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

tuition charges at a state institution of higher education. The governing body also may, at its discretion, limit the number of participants, if needed, to ensure the actuarial soundness and integrity of the program.

(e) While the Washington advanced college tuition payment program is designed to help all citizens of the state of Washington, the governing body may determine residency requirements for eligible purchasers and eligible beneficiaries to ensure the actuarial soundness and integrity of the program.

(3)(a) No tuition unit may be redeemed until two years after the purchase of the unit.

(b) Units may be redeemed for enrollment at any institution of higher education that is recognized by the internal revenue service under chapter 529 of the internal revenue code. Units may also be redeemed to pay for dual credit fees.

(c) Units redeemed at a nonstate institution of higher education or for graduate enrollment shall be redeemed at the rate for state public institutions in effect at the time of redemption.

(4) The governing body shall determine the conditions under which the tuition benefit may be transferred to another family member. In permitting such transfers, the governing body may not allow the tuition benefit to be bought, sold, bartered, or otherwise exchanged for goods and services by either the beneficiary or the purchaser.

(5) The governing body shall administer the Washington advanced college tuition payment program in a manner reasonably designed to be actuarially sound, such that the assets of the trust will be sufficient to defray the obligations of the trust including the costs of administration. The governing body may, at its discretion, discount the minimum purchase price for certain kinds of purchases such as those from families with young children, as long as the actuarial soundness of the account is not jeopardized.

(6) The governing body shall annually determine current value of a tuition unit.

(7) For the 2015-16 and 2016-17 academic years only, the governing body shall set the payout value for units redeemed during that academic year only at one hundred seventeen dollars and eighty-two cents per unit. For academic years after the 2016-17 academic year, the governing body shall make program adjustments it deems necessary and appropriate to ensure that the total payout value of each account on October 9, 2015, is not decreased or diluted as a result of the initial application of any changes in tuition under section 3, chapter 36, Laws of 2015 3rd sp. sess. In the event the committee or governing body provides additional units under chapter 36, Laws of 2015 3rd sp. sess., the committee and governing body shall also increase the maximum number of units that can be redeemed in any year to mitigate the reduction in available account value during any year as a result of chapter 36, Laws of 2015 3rd sp. sess. The governing body must notify holders of tuition units after the adjustment in this subsection is made and must include a statement concerning the adjustment.

(8) The governing body shall allow account owners who purchased units before July 1, 2015, to redeem such units at the unit cash value price provided that all the redeemed funds are deposited immediately into an eligible Washington college savings program account established by the governing body. Within ninety days of the effective date of this section, the committee, in consultation with the state actuary and state investment board, shall:

(a) Establish a period that is not less than ninety days during which eligible purchasers may redeem units at the unit cash value price for the purposes of this subsection and provide at least thirty days' notice prior to the ninety-day window to all eligible account

holders about the redemption option; and

(b) Establish the unit cash value price. The committee, in consultation with the state actuary and the state investment board, may revalue the unit cash value price established in this subsection (8)(b) up to three times during the ninety-day period in which eligible purchasers may redeem units for the unit cash value price.

(9) The governing body shall promote, advertise, and publicize the Washington advanced college tuition payment program. Materials and online publications advertising the Washington advanced college tuition payment program shall include a disclaimer that the Washington advanced college tuition payment program's guarantee is that one hundred tuition units will equal one year of full-time, resident, undergraduate tuition at the most expensive state institution of higher education, and that if resident, undergraduate tuition is reduced, a tuition unit may lose monetary value.

~~((9))~~ (10) In addition to any other powers conferred by this chapter, the governing body may:

(a) Impose reasonable limits on the number of tuition units or units that may be used in any one year;

(b) Determine and set any time limits, if necessary, for the use of benefits under this chapter;

(c) Impose and collect administrative fees and charges in connection with any transaction under this chapter;

(d) Appoint and use advisory committees and the state actuary as needed to provide program direction and guidance;

(e) Formulate and adopt all other policies and rules necessary for the efficient administration of the program;

(f) Consider the addition of an advanced payment program for room and board contracts and also consider a college savings program;

(g) Purchase insurance from insurers licensed to do business in the state, to provide for coverage against any loss in connection with the account's property, assets, or activities or to further insure the value of the tuition units;

(h) Make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise and discharge of its powers and duties under this chapter;

(i) Contract for the provision for all or part of the services necessary for the management and operation of the program with other state or nonstate entities authorized to do business in the state;

(j) Contract for other services or for goods needed by the governing body in the conduct of its business under this chapter;

(k) Contract with financial consultants, actuaries, auditors, and other consultants as necessary to carry out its responsibilities under this chapter;

(l) Solicit and accept cash donations and grants from any person, governmental agency, private business, or organization; and

(m) Perform all acts necessary and proper to carry out the duties and responsibilities of this program under this chapter.

Sec. 3. RCW 28B.95.045 and 2016 c 69 s 6 are each amended to read as follows:

(1) The committee shall create an expedited process by which owners can complete a direct rollover or investment change of a 529 account from a:

(a) ~~((a))~~ State-sponsored prepaid tuition plan to a state-sponsored college savings plan~~((:));~~;

(b) ~~((a))~~ State-sponsored college savings plan to a state-sponsored prepaid tuition plan~~((:));~~ or

(c) ~~((a))~~ State-sponsored prepaid tuition plan or a state-sponsored college savings plan to an out-of-state eligible 529 plan.

(2) The committee shall report annually to the governor and the appropriate committees of the legislature on (a) the number of accounts that have been rolled into the Washington college savings program from out of state and (b) the number of accounts rolled out of the Washington college savings program to 529 plans into other states.

NEW SECTION. Sec. 4. 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 April 15, 2018."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 28B.95.020, 28B.95.030, and 28B.95.045; providing an effective date; and declaring an emergency."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 443 by Senator Mullet to Senate Bill No. 6087.

The motion by Senator Mullet carried and striking floor amendment no. 443 was adopted by voice vote.

MOTION

On motion of Senator Mullet, 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.

MOTION

On motion of Senator Bailey, Senators Baumgartner and Walsh were excused.

Senators Mullet, Schoesler and Hawkins spoke in favor of passage of the bill.

MOTION

On motion of Senator Saldaña, Senator Rolfes was excused.

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, 43; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Hawkins, Hobbs, Honeyford, Hunt, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Frockt, Hasegawa and Keiser
Excused: Senators Baumgartner, Rolfes and Walsh

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.

SECOND READING

SENATE BILL NO. 6486, by Senators Ranker, Zeiger, Palumbo, Hasegawa, Wellman, Miloscia, Keiser, Conway, Darneille, O'Ban, Sheldon, Chase, Frockt, Kuderer and Saldaña

Expanding registered apprenticeship programs.

MOTION

On motion of Senator Ranker, Substitute Senate Bill No. 6486 was substituted for Senate Bill No. 6486 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following floor amendment no. 590 by Senator Keiser be adopted:

On page 3, line 9, after "to", insert "employers and employee organizations within"

Senator Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 590 by Senator Keiser on page 3, line 9 to Substitute Senate Bill No. 6486.

The motion by Senator Keiser carried and floor amendment no. 590 was adopted by voice vote.

MOTION

On motion of Senator Ranker, the rules were suspended, Engrossed Substitute Senate Bill No. 6486 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ranker and Conway 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 Engrossed Substitute Senate Bill No. 6486.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6486 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Sheldon, Takko, Van De Wege, Wellman and Zeiger

Voting nay: Senators Angel, Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Honeyford, King, Padden, Schoesler, Short, Wagoner, Warnick and Wilson

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 6486, having received the constitutional majority, 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. 6453, by Senators King, Carlyle, Hobbs, Zeiger, O'Ban, Walsh, Brown, Darneille, Miloscia, Palumbo and Saldaña

Concerning legal support for kinship caregivers.

MOTIONS

On motion of Senator King, Second Substitute Senate Bill No. 6453 was substituted for Senate Bill No. 6453 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Second Substitute Senate Bill No. 6453 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 Second Substitute Senate Bill No. 6453.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6453 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SECOND SUBSTITUTE SENATE BILL NO. 6453, having received the constitutional majority, 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. 6135, by Senators Wellman, Zeiger and Hasegawa

Updating application requirements for the academic acceleration incentive program.

MOTION

On motion of Senator Wellman, Substitute Senate Bill No. 6135 was substituted for Senate Bill No. 6135 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, floor amendment no. 506 by Senators Rivers, Wellman and Zeiger on page 2, line 35 to Substitute Senate Bill No. 6135 was withdrawn.

On page 2, beginning on line 35, after "schools" strike all material through "capacity." on line 39 and insert "~~((with a high proportion of low income students and high schools seeking to develop new capacity for dual credit courses rather than proposing marginal expansion of current capacity.))~~;

- (i) That have not previously received grant funds through the academic acceleration incentive program;
- (ii) With a high proportion of low-income students;
- (iii) Identified as having high disproportionality in their dual

credit enrollment data; or

(iv) Seeking to develop new capacity for dual credit courses rather than proposing marginal expansion of current capacity."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "the academic acceleration incentive program; and amending RCW 28A.320.195 and 28A.320.196."

MOTION

Senator Mullet moved that the following floor amendment no. 576 by Senators Mullet, Wellman and Zeiger be adopted:

On page 2, beginning on line 35, after "schools" strike all material through "capacity." on line 39 and insert "~~((with a high proportion of low income students and high schools seeking to develop new capacity for dual credit courses rather than proposing marginal expansion of current capacity.))~~;

(i) That have not previously received grant funds through the academic acceleration incentive program;

(ii) With a high proportion of low-income students;

(iii) Identified as having high disproportionality in their dual credit enrollment data; or

(iv) Seeking to develop new capacity for dual credit courses rather than proposing marginal expansion of current capacity."

On page 4, after line 6, insert the following:

"**Sec. 3.** RCW 28A.165.035 and 2016 c 72 s 803 are each amended to read as follows:

(1) Use of best practices that have been demonstrated through research to be associated with increased student achievement magnifies the opportunities for student success. To the extent they are included as a best practice or strategy in one of the state menus or an approved alternative under this section or RCW 28A.655.235, the following are services and activities that may be supported by the learning assistance program:

(a) Extended learning time opportunities occurring:

(i) Before or after the regular school day;

(ii) On Saturday; and

(iii) Beyond the regular school year;

(b) Services under RCW 28A.320.190;

(c) Professional development for certificated and classified staff that focuses on:

(i) The needs of a diverse student population;

(ii) Specific literacy and mathematics content and instructional strategies; and

(iii) The use of student work to guide effective instruction and appropriate assistance;

(d) Consultant teachers to assist in implementing effective instructional practices by teachers serving participating students;

(e) Tutoring support for participating students;

(f) Outreach activities and support for parents of participating students, including employing parent and family engagement coordinators; and

(g) Up to five percent of a district's learning assistance program allocation may be used for development of partnerships with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports to participating students who are significantly at risk of not being successful in school to reduce barriers to learning, increase student engagement, and enhance students' readiness to learn. The school board must approve in an open meeting any community-based organization or local agency before learning assistance funds may be expended.

(2) In addition to the state menu developed under RCW 28A.655.235, the office of the superintendent of public

instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop additional state menus of best practices and strategies for use in the learning assistance program to assist struggling students at all grade levels in English language arts and mathematics and reduce disruptive behaviors in the classroom. The office of the superintendent of public instruction shall publish the state menus by July 1, 2015, and update the state menus by each July 1st thereafter.

(3)(a) ~~((Beginning in the 2016-17 school year,))~~ Except as provided in (b), (c), or (d) of this subsection, school districts must use a practice or strategy that is on a state menu developed under subsection (2) of this section or RCW 28A.655.235.

(b) Beginning in the 2016-17 school year, school districts may use a practice or strategy that is not on a state menu developed under subsection (2) of this section for two school years initially. If the district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction shall approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is dependent on the district continuing to demonstrate increased improved outcomes for participating students.

(c) ~~((Beginning in the 2016-17 school year,))~~ During the 2018-19 and 2019-20 school years only, school districts may expend a portion of the district's learning assistance program allocation to develop a dropout early warning and intervention data system as defined in RCW 28A.175.074 and includes the data specified in section 203 of this act. During the 2018-19 and 2019-20 school years, the office of the superintendent of public instruction may retain up to one-half of one percent of learning assistance program allocation funds generated by middle school and high school students for the purpose of supporting districts in meeting the requirements of section 203 of this act including, but not limited to, data collection and reporting and providing professional development and technical assistance. The office of the superintendent of public instruction is encouraged to work with the educational service districts to provide these services.

(d) School districts may expend a portion of the district's learning assistance program allocation on interventions for students identified as at risk of not graduating using the dropout early warning and intervention data system defined in RCW 28A.175.074 and includes the data specified in section 203 of this act.

(4) School districts may enter cooperative agreements with state agencies, local governments, or school districts for administrative or operational costs needed to provide services in accordance with the state menus developed under this section and RCW 28A.655.235.

~~(((4) School districts are encouraged to implement best practices and strategies from the state menus developed under this section and RCW 28A.655.235 before the use is required.)))~~

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "academic programs; and amending RCW 28A.320.195, 28A.320.196, and 28A.165.035."

Senators Mullet and Zeiger spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 576 by Senators Mullet, Wellman and Zeiger on page 2, line 35 to Substitute Senate Bill No. 6135.

The motion by Senator Mullet carried and floor amendment no. 576 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute Senate Bill No. 6135 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Zeiger 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. 6135.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6135 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 6135, having received the constitutional majority, 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 Ranker, Palumbo, Darneille, Keiser, Wellman and Hasegawa

Regulating contracts by institutions of higher education with private entities.

The measure was read the second time.

MOTION

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

Senator Ranker spoke in favor of passage of the bill.

Senators Hawkins, Ericksen and Padden spoke against passage of the bill.

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

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6264 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Voting nay: Senators Angel, Bailey, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Honeyford, King, Miloscia,

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

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.

MOTION

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

THIRD READING

SENATE BILL NO. 5525, by Senators Wilson, Palumbo, Cleveland, Baumgartner, Zeiger, O'Ban, Liias, Frockt, Schoesler, Hobbs, Kuderer, Conway and Bailey

Concerning veterans' mental health services at institutions of higher education.

The bill was read on Third Reading.

MOTION

On motion of Senator Liias, the rules were suspended and Senate Bill No. 5525 was returned to second reading for the purpose of amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Wilson and without objection, floor amendment no. 610 by Senator Wilson on page 1, line 8 to Senate Bill No. 5525 was withdrawn.

On page 1, line 8, strike "Subject to the appropriation of funds for this specific purpose, the state universities, regional universities, and the state college", and insert "The Central Washington University and the University of Washington"

On page 1, line 13, after "center.", insert "Other institutions of higher education may each employ a mental health counselor as provided in this section."

MOTION

On motion of Senator Wilson, the rules were suspended, Senate Bill No. 5525 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson and Bailey 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. 5525.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5525 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen,

2018 REGULAR SESSION

Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 5525, having received the 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 Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

February 12, 2018

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1470,
SECOND SUBSTITUTE HOUSE BILL NO. 1513,
SUBSTITUTE HOUSE BILL NO. 1539,
SUBSTITUTE HOUSE BILL NO. 1558,
SUBSTITUTE HOUSE BILL NO. 2001,
SUBSTITUTE HOUSE BILL NO. 2229,
SUBSTITUTE HOUSE BILL NO. 2264,
SUBSTITUTE HOUSE BILL NO. 2289,
SUBSTITUTE HOUSE BILL NO. 2308,
HOUSE BILL NO. 2368,
HOUSE BILL NO. 2387,
SECOND SUBSTITUTE HOUSE BILL NO. 2390,
HOUSE BILL NO. 2446,
SUBSTITUTE HOUSE BILL NO. 2516,
HOUSE BILL NO. 2527,
SUBSTITUTE HOUSE BILL NO. 2528,
HOUSE BILL NO. 2539,
SUBSTITUTE HOUSE BILL NO. 2627,
SUBSTITUTE HOUSE BILL NO. 2651,
HOUSE BILL NO. 2669,
HOUSE BILL NO. 2682,
SUBSTITUTE HOUSE BILL NO. 2712,
HOUSE BILL NO. 2733,
HOUSE BILL NO. 2751,
HOUSE BILL NO. 2785,
SUBSTITUTE HOUSE BILL NO. 2833,
SUBSTITUTE HOUSE BILL NO. 2855,
HOUSE BILL NO. 2894,
HOUSE BILL NO. 2962,
HOUSE JOINT MEMORIAL NO. 4011,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

SECOND READING

SENATE BILL NO. 6582, by Senators Chase, Saldaña and Hasegawa

Concerning the criminal history of applicants to institutions of higher education.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following floor amendment no. 544 by Senator O'Ban be adopted:

On page 3, after line 5, insert the following:

"NEW SECTION. Sec. 6. Each institution of higher education shall be immune from suit in law, equity, or any action under the administrative procedure act resulting from any violent crime or sex offense resulting from the institution's admissions decisions under this chapter. This section does not create a protected class, private right of action, any right, privilege, or duty, or change any right, privilege, or duty existing under law."

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

On page 3, line 6, after "through" strike "5" and insert "6"

Senators O'Ban, Schoesler and Fortunato spoke in favor of adoption of the amendment.

Senators Chase, Ranker and Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 544 by Senator O'Ban on page 3, after line 5 to Senate Bill No. 6582.

The motion by Senator O'Ban did not carry and floor amendment no. 544 was not adopted by voice vote.

MOTION

On motion of Senator Chase, the rules were suspended, Senate Bill No. 6582 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Chase and O'Ban spoke in favor of passage of the bill.

Senators Hawkins, Padden and Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6582.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6582 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Voting nay: Senators Angel, Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Honeyford, King, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6582, having received the constitutional majority, 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. 6055, by Senators Hawkins, Carlyle, Palumbo and Mullet

Creating a pilot program for outdoor burning for cities or towns located partially inside a quarantine area for apple maggot.

MOTIONS

On motion of Senator Hawkins, Substitute Senate Bill No. 6055 was substituted for Senate Bill No. 6055 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hawkins, the rules were suspended, Substitute Senate Bill No. 6055 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins and Carlyle 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. 6055.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6055 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SUBSTITUTE SENATE BILL NO. 6055, having received the constitutional majority, 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. 6363, by Senators Chase and Warnick

Concerning a rail line over the Milwaukee Road corridor.

The measure was read the second time.

MOTION

On motion of Senator Chase, the rules were suspended, Senate Bill No. 6363 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Chase, King 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. 6363.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6363 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy,

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 6152 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Excused: Senators Baumgartner and Walsh

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

SENATE BILL NO. 6363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6152.

SECOND READING

ROLL CALL

SENATE BILL NO. 6438, by Senators King, Palumbo and Hobbs

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6152 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Clarifying the collection process for existing vehicle service transactions.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 6438 was substituted for Senate Bill No. 6438 and the substitute bill was placed on the second reading and read the second time.

Excused: Senators Baumgartner and Walsh

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6438 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SUBSTITUTE SENATE BILL NO. 6152, having received the 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 King and Angel 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. 6438.

INTRODUCTION OF SPECIAL GUESTS

ROLL CALL

The President welcomed and introduced students from Wedgewood Elementary School who were seated in the gallery. They are guests of Senator Frockt.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6438 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

SECOND READING

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

SENATE BILL NO. 6388, by Senators Mullet and Rivers

Concerning paraeducators.

MOTIONS

Excused: Senators Baumgartner and Walsh

On motion of Senator Mullet, Substitute Senate Bill No. 6388 was substituted for Senate Bill No. 6388 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6438, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 6388 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

SECOND READING

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6388.

SENATE BILL NO. 6152, by Senators Rivers and Takko

ROLL CALL

Concerning the authority of counties to vacate a county road that abuts on a body of water if the county road is hazardous or creates a significant risk to public safety.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6388 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

MOTIONS

On motion of Senator Fain, Substitute Senate Bill No. 6152 was substituted for Senate Bill No. 6152 and the substitute bill was placed on the second reading and read the second time.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet,

Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Baumgartner and Walsh

SUBSTITUTE SENATE BILL NO. 6388, having received the constitutional majority, 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 Hunt, Zeiger and Kuderer

Modifying write-in voting provisions.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 6058 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Schoesler 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. 6058.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6058 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Baumgartner and Walsh

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. 6462, by Senators Angel and Mullet

Concerning the seller's real estate disclosure regarding oil tank insurance.

The measure was read the second time.

MOTION

On motion of Senator Angel, the rules were suspended, Senate Bill No. 6462 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Angel and 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. 6462.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6462 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6462, having received the constitutional majority, 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. 6137, by Senators Conway, King, Keiser, Hasegawa and Wilson

Clarifying the relationship between manufacturers and new motor vehicle dealers by providing tools to resolve disparities including expanding compensation for recalled vehicles.

MOTION

On motion of Senator Conway, Substitute Senate Bill No. 6137 was substituted for Senate Bill No. 6137 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Conway moved that the following striking floor amendment no. 609 by Senators Conway and King be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 7.** A new section is added to chapter 46.96 RCW to read as follows:

(1) A manufacturer shall compensate its new motor vehicle dealers for all labor and parts required by the manufacturer to perform recall repairs at rates no lower than those set in accordance with RCW 46.96.105. If parts or a remedy are not reasonably available to perform a recall service or repair on a used vehicle held for sale by a dealer authorized to sell new vehicles of the same line make within fifteen days of the manufacturer issuing the initial notice of recall, and the manufacturer has issued a stop-sale, do-not-drive order, or the manufacturer has not certified that the issue identified in the notice of recall does not affect the safe operation of the vehicle, commencing on the fifteenth day after the notice or order was issued and ending on the earlier of the date that the remedy or repair parts necessary to resolve the recall, stop-sale, or do-not-drive order are available to the dealer for vehicles in the dealer's inventory or the dealer sells, trades, or otherwise disposes of the vehicle, the manufacturer shall compensate the dealer at a prorated rate of at least 1.75 percent of the average trade-in value as indicated in an independent third-party guide for the year, make, model, and

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

mileage of the recalled vehicle, per month, or portion of a month, while the recall or remedy parts are unavailable and the order remains in effect. A manufacturer is not required to compensate a motor vehicle dealer for more than the total trade-in value of the vehicle as established under this section. A manufacturer is not required to compensate a motor vehicle dealer for vehicles purchased by the dealer at a wholesale auction after the date the order was issued. A stop-sale or do-not-drive order is defined as a notification issued by a vehicle manufacturer to its franchised dealers stating that certain used vehicles in inventory should not be sold or leased, at retail or wholesale, due to a federal safety recall for a defect or a noncompliance, or a federal or California emissions recall.

(2) This section applies only to used vehicles subject to safety or emissions recalls pursuant to and recalled in accordance with federal law and regulations adopted thereunder and where a stop-sale, do-not-drive order has been issued, or the manufacturer has not certified that the issue identified in the notice of recall does not affect the safe operation of the vehicle. This section further applies only to new motor vehicle dealers holding used vehicles for sale that are a line make that the dealer is franchised to sell or on which the dealer is authorized to perform recall repairs.

(3) All reimbursement claims made by new motor vehicle dealers pursuant to this section for recall remedies or repairs, or for compensation where no part or repair is reasonably available and the vehicle is subject to a stop-sale, do-not-drive, or the manufacturer has not certified that the issue identified in the notice of recall does not affect the safe operation of the vehicle, is subject to the same limitations and requirements as a warranty reimbursement claim made under RCW 46.96.105. Claims shall be either approved or disapproved within thirty days after they are submitted to the manufacturer in the manner and on the forms the manufacturer reasonably prescribes. A manufacturer shall pay a claim within thirty days following approval. Any claim not specifically disapproved in writing within thirty days following receipt is approved.

(4) A manufacturer may compensate its franchised dealers under a national recall compensation program provided the compensation under the program is equal to or greater than that provided in subsection (1) of this section.

(5) A manufacturer may not otherwise recover all or any portion of its costs for compensating its dealers licensed in this state for recalled vehicles, parts, and service either by reduction in the amount due to the dealer or by separate charge, surcharge, or other imposition.

(6) Any remedy provided to a new motor vehicle dealer under this section is exclusive and may not be combined with any other state or federal recall compensation remedy.

Sec. 8. RCW 46.96.185 and 2014 c 214 s 7 are each amended to read as follows:

(1) Notwithstanding the terms of a franchise agreement, a manufacturer, distributor, factory branch, or factory representative, or an agent, officer, parent company, wholly or partially owned subsidiary, affiliated entity, or other person controlled by or under common control with a manufacturer, distributor, factory branch, or factory representative, shall not:

(a) Discriminate between new motor vehicle dealers by selling or offering to sell a like vehicle to one dealer at a lower actual price than the actual price offered to another dealer for the same model similarly equipped;

(b) Discriminate between new motor vehicle dealers by selling or offering to sell parts or accessories to one dealer at a lower actual price than the actual price offered to another dealer;

(c) Discriminate between new motor vehicle dealers by using a promotion plan, marketing plan, or other similar device that

results in a lower actual price on vehicles, parts, or accessories being charged to one dealer over another dealer;

(d) Discriminate between new motor vehicle dealers by adopting a method, or changing an existing method, for the allocation, scheduling, or delivery of new motor vehicles, parts, or accessories to its dealers that is not fair, reasonable, and equitable. Upon the request of a dealer, a manufacturer, distributor, factory branch, or factory representative shall disclose in writing to the dealer the method by which new motor vehicles, parts, and accessories are allocated, scheduled, or delivered to its dealers handling the same line or make of vehicles;

(e) Discriminate against a new motor vehicle dealer by preventing, offsetting, or otherwise impairing the dealer's right to request a documentary service fee on affinity or similar program purchases. This prohibition applies to, but is not limited to, any promotion plan, marketing plan, manufacturer or dealer employee or employee friends or family purchase programs, or similar plans or programs;

(f) Give preferential treatment to some new motor vehicle dealers over others by refusing or failing to deliver, in reasonable quantities and within a reasonable time after receipt of an order, to a dealer holding a franchise for a line or make of motor vehicles sold or distributed by the manufacturer, distributor, factory branch, or factory representative, a new vehicle, parts, or accessories, if the vehicle, parts, or accessories are being delivered to other dealers, or require a dealer to purchase unreasonable advertising displays or other materials, or unreasonably require a dealer to remodel or renovate existing facilities as a prerequisite to receiving a model or series of vehicles;

(g) Compete with a new motor vehicle dealer of any make or line by acting in the capacity of a new motor vehicle dealer, or by owning, operating, or controlling, whether directly or indirectly, a motor vehicle dealership in this state. It is not, however, a violation of this subsection for:

(i) A manufacturer, distributor, factory branch, or factory representative to own or operate a dealership for a temporary period, not to exceed two years, during the transition from one owner of the dealership to another where the dealership was previously owned by a franchised dealer and is currently for sale to any qualified independent person at a fair and reasonable price. The temporary operation may be extended for one twelve-month period on petition of the temporary operator to the department. The matter will be handled as an adjudicative proceeding under chapter 34.05 RCW. A dealer who is a franchisee of the petitioning manufacturer or distributor may intervene and participate in a proceeding under this subsection (1)(g)(i). The temporary operator has the burden of proof to show justification for the extension and a good faith effort to sell the dealership to an independent person at a fair and reasonable price;

(ii) A manufacturer, distributor, factory branch, or factory representative to own or operate a dealership in conjunction with an independent person in a bona fide business relationship for the purpose of broadening the diversity of its dealer body and enhancing opportunities for qualified persons who are part of a group who have historically been underrepresented in its dealer body, or other qualified persons who lack the resources to purchase a dealership outright, and where the independent person: (A) Has made, or within a period of two years from the date of commencement of operation will have made, a significant, bona fide capital investment in the dealership that is subject to loss; (B) has an ownership interest in the dealership; and (C) operates the dealership under a bona fide written agreement with the manufacturer, distributor, factory branch, or factory representative under which he or she will acquire all of the

ownership interest in the dealership within a reasonable period of time and under reasonable terms and conditions. The manufacturer, distributor, factory branch, or factory representative has the burden of proof of establishing that the acquisition of the dealership by the independent person was made within a reasonable period of time and under reasonable terms and conditions. Nothing in this subsection (1)(g)(ii) relieves a manufacturer, distributor, factory branch, or factory representative from complying with (a) through (f) of this subsection;

(iii) A manufacturer, distributor, factory branch, or factory representative to own or operate a dealership in conjunction with an independent person in a bona fide business relationship where the independent person: (A) Has made, or within a period of two years from the date of commencement of operation will have made, a significant, bona fide capital investment in the dealership that is subject to loss; (B) has an ownership interest in the dealership; and (C) operates the dealership under a bona fide written agreement with the manufacturer, distributor, factory branch, or factory representative under which he or she will acquire all of the ownership interest in the dealership within a reasonable period of time and under reasonable terms and conditions. The manufacturer, distributor, factory branch, or factory representative has the burden of proof of establishing that the acquisition of the dealership by the independent person was made within a reasonable period of time and under reasonable terms and conditions. The number of dealerships operated under this subsection (1)(g)(iii) may not exceed four percent rounded up to the nearest whole number of a manufacturer's total of new motor vehicle dealer franchises in this state. Nothing in this subsection (1)(g)(iii) relieves a manufacturer, distributor, factory branch, or factory representative from complying with (a) through (f) of this subsection;

(iv) A truck manufacturer to own, operate, or control a new motor vehicle dealership that sells only trucks of that manufacturer's line make with a gross vehicle weight rating of 12,500 pounds or more, and the truck manufacturer has been continuously engaged in the retail sale of the trucks at least since January 1, 1993;

(v) A manufacturer to own, operate, or control a new motor vehicle dealership trading exclusively in a single line make of the manufacturer if (A) the manufacturer does not own, directly or indirectly, in the aggregate, in excess of forty-five percent of the total ownership interest in the dealership, (B) at the time the manufacturer first acquires ownership or assumes operation or control of any such dealership, the distance between any dealership thus owned, operated, or controlled and the nearest new motor vehicle dealership trading in the same line make of vehicle and in which the manufacturer has no ownership or control is not less than fifteen miles and complies with the applicable provisions in the relevant market area sections of this chapter, (C) all of the manufacturer's franchise agreements confer rights on the dealer of that line make to develop and operate within a defined geographic territory or area, as many dealership facilities as the dealer and the manufacturer agree are appropriate, and (D) as of January 1, 2000, the manufacturer had no more than four new motor vehicle dealers of that manufacturer's line make in this state, and at least half of those dealers owned and operated two or more dealership facilities in the geographic territory or area covered by their franchise agreements with the manufacturer;

(vi) A final-stage manufacturer to own, operate, or control a new motor vehicle dealership; or

(vii) A manufacturer that held a vehicle dealer license in this state on January 1, 2014, to own, operate, or control a new motor vehicle dealership that sells new vehicles that are only of that manufacturer's makes or lines and that are not sold new by a

licensed independent franchise dealer, or to own, operate, or control or contract with companies that provide finance, leasing, or service for vehicles that are of that manufacturer's makes or lines;

(h) Compete with a new motor vehicle dealer by owning, operating, or controlling, whether directly or indirectly, a service facility in this state for the repair or maintenance of motor vehicles under the manufacturer's new car warranty and extended warranty. Nothing in this subsection (1)(h), however, prohibits a manufacturer, distributor, factory branch, or factory representative from owning or operating a service facility for the purpose of providing or performing maintenance, repair, or service work on motor vehicles that are owned by the manufacturer, distributor, factory branch, or factory representative;

(i) Use confidential or proprietary information obtained from a new motor vehicle dealer to unfairly compete with the dealer. For purposes of this subsection (1)(i), "confidential or proprietary information" means trade secrets as defined in RCW 19.108.010, business plans, marketing plans or strategies, customer lists, contracts, sales data, revenues, or other financial information;

(j)(i) Terminate, cancel, or fail to renew a franchise with a new motor vehicle dealer based upon any of the following events, which do not constitute good cause for termination, cancellation, or nonrenewal under RCW 46.96.060: (A) The fact that the new motor vehicle dealer owns, has an investment in, participates in the management of, or holds a franchise agreement for the sale or service of another make or line of new motor vehicles; (B) the fact that the new motor vehicle dealer has established another make or line of new motor vehicles or service in the same dealership facilities as those of the manufacturer or distributor; (C) that the new motor vehicle dealer has or intends to relocate the manufacturer or distributor's make or line of new motor vehicles or service to an existing dealership facility that is within the relevant market area, as defined in RCW 46.96.140, of the make or line to be relocated, except that, in any nonemergency circumstance, the dealer must give the manufacturer or distributor at least sixty days' notice of his or her intent to relocate and the relocation must comply with RCW 46.96.140 and 46.96.150 for any same make or line facility; or (D) the failure of a franchisee to change the location of the dealership or to make substantial alterations to the use or number of franchises on the dealership premises or facilities.

(ii) Notwithstanding the limitations of this section, a manufacturer may, for separate consideration, enter into a written contract with a dealer to exclusively sell and service a single make or line of new motor vehicles at a specific facility for a defined period of time. The penalty for breach of the contract must not exceed the amount of consideration paid by the manufacturer plus a reasonable rate of interest;

(k) Coerce or attempt to coerce a motor vehicle dealer to refrain from, or prohibit or attempt to prohibit a new motor vehicle dealer from acquiring, owning, having an investment in, participating in the management of, or holding a franchise agreement for the sale or service of another make or line of new motor vehicles or related products, or establishing another make or line of new motor vehicles or service in the same dealership facilities, if the prohibition against acquiring, owning, investing, managing, or holding a franchise for such additional make or line of vehicles or products, or establishing another make or line of new motor vehicles or service in the same dealership facilities, is not supported by reasonable business considerations. The burden of proving that reasonable business considerations support or justify the prohibition against the additional make or line of new motor vehicles or products or nonexclusive facilities is on the manufacturer;

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

(l) Require, by contract or otherwise, a new motor vehicle dealer to make a material alteration, expansion, or addition to any dealership facility, unless the required alteration, expansion, or addition is uniformly required of other similarly situated new motor vehicle dealers of the same make or line of vehicles and is reasonable in light of all existing circumstances, including economic conditions. In any proceeding in which a required facility alteration, expansion, or addition is an issue, the manufacturer or distributor has the burden of proof. Except for a program or any renewal or modification of a program that is in effect with one or more new motor vehicle dealers in this state on June 12, 2014, a manufacturer shall not require, coerce, or attempt to coerce any new motor vehicle dealer by program, policy, standard, or otherwise to change the location of the dealership or construct, replace, renovate, or make any substantial changes, alterations, or remodeling to a new motor vehicle dealer's sales or service facilities, except as necessary to comply with health or safety laws or to comply with technology requirements without which a dealer would be unable to service a vehicle the dealer has elected to sell, before the tenth anniversary of the date of issuance of the certificate of occupancy or the manufacturer's approval, whichever is later, from:

(i) The date construction of the dealership at that location was completed if the construction was in substantial compliance with standards or plans provided by a manufacturer, distributor, or representative or through a subsidiary or agent of the manufacturer, distributor, or representative; or

(ii) The date a prior change, alteration, or remodel of the dealership at that location was completed if the construction was in substantial compliance with standards or plans provided by a manufacturer, distributor, or representative or through a subsidiary or agent of the manufacturer, distributor, or representative;

(m) Prevent or attempt to prevent by contract or otherwise any new motor vehicle dealer from changing the executive management of a new motor vehicle dealer unless the manufacturer or distributor, having the burden of proof, can show that a proposed change of executive management will result in executive management by a person or persons who are not of good moral character or who do not meet reasonable, preexisting, and equitably applied standards of the manufacturer or distributor. If a manufacturer or distributor rejects a proposed change in the executive management, the manufacturer or distributor shall give written notice of its reasons to the dealer within sixty days after receiving written notice from the dealer of the proposed change and all related information reasonably requested by the manufacturer or distributor, or the change in executive management must be considered approved;

(n) Condition the sale, transfer, relocation, or renewal of a franchise agreement or condition manufacturer, distributor, factory branch, or factory representative sales, services, or parts incentives upon the manufacturer obtaining site control, including rights to purchase or lease the dealer's facility, or an agreement to make improvements or substantial renovations to a facility. For purposes of this section, a substantial renovation has a gross cost to the dealer in excess of five thousand dollars;

(o) Fail to provide to a new motor vehicle dealer purchasing or leasing building materials or other facility improvements the right to purchase or lease franchisor image elements of like kind and quality from an alternative vendor selected by the dealer if the goods or services are to be supplied by a vendor selected, identified, or designated by the manufacturer or distributor. If the vendor selected by the manufacturer or distributor is the only available vendor of like kind and quality materials, the new motor vehicle dealer must be given the opportunity to purchase the

franchisor image elements at a price substantially similar to the capitalized lease costs of the elements. This subsection (1)(o) must not be construed to allow a new motor vehicle dealer or vendor to gain additional intellectual property rights they are not otherwise entitled to or to impair or eliminate the intellectual property rights of the manufacturer or distributor or to permit a new motor vehicle dealer to erect or maintain signs that do not conform to the reasonable intellectual property usage guidelines of the manufacturer or distributor;

(p) Take any adverse action against a new motor vehicle dealer including, but not limited to, charge backs or reducing vehicle allocations, for sales and service performance within a designated area of primary responsibility unless that area is reasonable in light of proximity to relevant census tracts to the dealership and competing dealerships, highways and road networks, ~~((state borders,))~~ any natural or man-made barriers, demographics, including economic factors, ~~((and))~~ buyer behavior information, and contains only areas inside the state of Washington unless specifically approved by the new motor vehicle dealer; ((or))

(q) Require, coerce, or attempt to coerce any new motor vehicle dealer by program, policy, facility guide, standard, or otherwise to order or accept delivery of any service or repair appliances, equipment, parts, or accessories, or any other commodity not required by law, which the dealer has not voluntarily ordered or which the dealer does not have the right to return unused for a full refund within ninety days or a longer period as mutually agreed upon by the dealer and manufacturer; or

(r) Modify the franchise agreement for any new motor vehicle dealer unless the manufacturer notifies the dealer in writing of its intention to modify the agreement at least ninety days before the effective date thereof, stating the specific grounds for the modification, and undertakes the modification in good faith, for good cause, and in a manner that would not adversely and substantially alter the rights, obligations, investment, or return on investment of the franchised new motor vehicle dealer under the existing agreement.

(2) Subsection (1)(a), (b), and (c) of this section do not apply to sales to a motor vehicle dealer: (a) For resale to a federal, state, or local government agency; (b) where the vehicles will be sold or donated for use in a program of driver's education; (c) where the sale is made under a manufacturer's bona fide promotional program offering sales incentives or rebates; (d) where the sale of parts or accessories is under a manufacturer's bona fide quantity discount program; or (e) where the sale is made under a manufacturer's bona fide fleet vehicle discount program. For purposes of this subsection, "fleet" means a group of fifteen or more new motor vehicles purchased or leased by a dealer at one time under a single purchase or lease agreement for use as part of a fleet, and where the dealer has been assigned a fleet identifier code by the department of licensing.

(3) The following definitions apply to this section:

(a) "Actual price" means the price to be paid by the dealer less any incentive paid by the manufacturer, distributor, factory branch, or factory representative, whether paid to the dealer or the ultimate purchaser of the vehicle.

(b) "Control" or "controlling" means (i) the possession of, title to, or control of ten percent or more of the voting equity interest in a person, whether directly or indirectly through a fiduciary, agent, or other intermediary, or (ii) the possession, direct or indirect, of the power to direct or cause the direction of the management or policies of a person, whether through the ownership of voting securities, through director control, by contract, or otherwise, except as expressly provided under the franchise agreement.

(c) "Motor vehicles" does not include trucks that are 14,001

pounds gross vehicle weight and above or recreational vehicles as defined in RCW 43.22.335.

(d) "Operate" means to manage a dealership, whether directly or indirectly.

(e) "Own" or "ownership" means to hold the beneficial ownership of one percent or more of any class of equity interest in a dealership, whether the interest is that of a shareholder, partner, limited liability company member, or otherwise. To hold an ownership interest means to have possession of, title to, or control of the ownership interest, whether directly or indirectly through a fiduciary, agent, or other intermediary.

(4) A violation of this section is deemed to affect the public interest and constitutes an unlawful and unfair practice under chapter 19.86 RCW. A person aggrieved by an alleged violation of this section may petition the department to have the matter handled as an adjudicative proceeding under chapter 34.05 RCW.

Sec. 9. RCW 46.96.260 and 2010 c 178 s 11 are each amended to read as follows:

A new motor vehicle dealer who is injured in his or her business or property by a violation of this chapter, or any corporation or association that is primarily owned by or composed of new motor vehicle dealers and that primarily represents the interests of new motor vehicle dealers and is acting for itself or by, for, or on behalf of one or more new motor vehicle dealers, has standing to file a petition to the department to have the matter handled as an adjudicative proceeding under chapter 34.05 RCW, or may bring a civil action in ((the superior)) a court of competent jurisdiction to recover the actual damages sustained by the dealer, to seek declaratory relief, or to enjoin further violations, together with the costs of the suit, including reasonable attorneys' fees if the new motor vehicle dealer, corporation, or association prevails. ((The new motor vehicle dealer may bring a civil action in district court to recover his or her actual damages, except for damages that exceed the amount specified in RCW 3.66.020, and the costs of the suit, including reasonable attorneys' fees.)) In addition, the court may, in its discretion, increase the award of damages up to an amount not to exceed three times the actual damages sustained for a willful violation. If a petition is filed with the department, the petition must be accompanied with a filing fee in accordance with RCW 46.96.210."

On page 1, line 4 of the title, after "vehicles;" strike the remainder of the title and insert "amending RCW 46.96.185 and 46.96.260; and adding a new section to chapter 46.96 RCW."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 609 by Senators Conway and King to Substitute Senate Bill No. 6137.

The motion by Senator Conway carried and striking floor amendment no. 609 was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Substitute Senate Bill No. 6137 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. 6137.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed

Substitute Senate Bill No. 6137 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 6137, having received the constitutional majority, 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 Takko and Short

Concerning employee recognition awards.

The measure was read the second time.

MOTION

On motion of Senator Takko, 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 Takko and 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. 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, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Padden

Excused: Senators Baumgartner and Walsh

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.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Leadership Institute of South Puget Sound who were seated in the gallery. They were guests of Senator Fain.

PERSONAL PRIVILEGE

Senator Fain: "Thank you Mr. President. It is an honor to have my fellow Auburnites here today. It is a fun little program that we have done for the last eight years here in the Legislature to bring this group down. This is the first year that they have

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

come down during the actual bustle of an actual floor session, especially being so close to cut off, so I do appreciate those members who I have conned into joining us over the lunch hour to share their experiences in the Legislature.”

Senator Fain moved that Senate Bill No. 6379 be removed from the consent calendar.

The President declared that two additional members supported the motion and Senate Bill No. 6379 was removed from the consent calendar.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frockt moved that Carol A. Lien, Senate Gubernatorial Appointment No. 9025, be confirmed as a member of the Board of Tax Appeals.

Senator Frockt spoke in favor of the motion.

APPOINTMENT OF CAROL A. LIEN

The President declared the question before the Senate to be the confirmation of Carol A. Lien, Senate Gubernatorial Appointment No. 9025, as a member of the Board of Tax Appeals.

The Secretary called the roll on the confirmation of Carol A. Lien, Senate Gubernatorial Appointment No. 9025, as a member of the Board of Tax Appeals and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Absent: Senator Angel

Excused: Senators Baumgartner and Walsh

Carol A. Lien, Senate Gubernatorial Appointment No. 9025, having received the constitutional majority was declared confirmed as a member of the Board of Tax Appeals.

MOTION

Senator Pedersen moved that Stanley J. Rumbaugh, Senate Gubernatorial Appointment No. 9197, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Pedersen spoke in favor of the motion.

APPOINTMENT OF STANLEY J. RUMBAUGH

The President declared the question before the Senate to be the confirmation of Stanley J. Rumbaugh, Senate Gubernatorial Appointment No. 9197, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Stanley J. Rumbaugh, Senate Gubernatorial Appointment No. 9197, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Absent: Senator Angel

Excused: Senators Baumgartner and Walsh

Stanley J. Rumbaugh, Senate Gubernatorial Appointment No. 9197, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

On motion of Senator Bailey, Senator Angel was excused.

MOTION

Senator Pedersen moved that Jennifer R. Albright, Senate Gubernatorial Appointment No. 9191, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Pedersen spoke in favor of the motion.

APPOINTMENT OF JENNIFER R. ALBRIGHT

The President declared the question before the Senate to be the confirmation of Jennifer R. Albright, Senate Gubernatorial Appointment No. 9191, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Jennifer R. Albright, Senate Gubernatorial Appointment No. 9191, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

Jennifer R. Albright, Senate Gubernatorial Appointment No. 9191, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

At 11:58 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator McCoy announced a meeting of the Democratic

Caucus at 1:00 p.m.

Senator Becker announced a meeting of the Republican Caucus at 1:00 p.m.

AFTERNOON SESSION

The Senate was called to order at 2:13 p.m. by President Habib.

MOTION

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

MOTION

Senator Schoesler moved adoption of the following resolution:

SENATE RESOLUTION
8702

By Senator Schoesler

WHEREAS, John Spellman, born in Seattle in 1926, left high school during World War II to enroll in the Merchant Marine Cadet Program, which led to wartime service in the U.S. Navy, and a ticket to college through the GI Bill; and

WHEREAS, John Spellman graduated from Seattle University as valedictorian of the class of 1949 and followed his college with priesthood study in a Jesuit seminary before changing to the study of the law at Georgetown University; and

WHEREAS, In 1954, after returning to Seattle, he married Lois Murphy, whom he had known since a Spanish class at Seattle University and who was the only woman in the class of 1949 to major in labor relations; and

WHEREAS, Lois Spellman was described as being both fiercely protective of her family and one of the most welcoming and kind persons that one could meet, with a very strong interest in politics that quickly led her to become her husband's greatest advisor and debate opponent; and

WHEREAS, While practicing maritime and labor law, John Spellman also became a political reformer, working with other King County Republicans to promote civil rights, environmental stewardship, and modern government; and

WHEREAS, John Spellman was elected to the King County Commission in 1966 and played a key role in establishing the county's new government structure under the Home Rule Charter of 1968, then was elected as the first executive of King County in 1969; and

WHEREAS, As executive, John Spellman worked to clean up King County government through reforms to prevent nepotism, patronage, and other corruption, and standing for racial and gender equality, criminal justice reforms, land use planning, environmental protection, and historic preservation; and

WHEREAS, John Spellman led King County through the aerospace industry crisis and high unemployment of the early 1970s and later the push to support big-league sports in Seattle through the building of the Kingdome and pursuit of sports franchises; and

WHEREAS, In 1980, John Spellman was elected the eighteenth governor of Washington, carrying thirty-two of the state's thirty-nine counties and becoming the only county commissioner to ever become governor; and

WHEREAS, Upon taking office, Governor Spellman immediately inherited a huge revenue deficit, yet upheld his commitment to support public schools, with basic education

receiving more than half of the spending in his first biennium budget, setting a standard that was not reached again until the 2017-2019 operating budget; and

WHEREAS, John Spellman's many achievements during his governorship ranged from his defense of Puget Sound against a proposed underwater oil pipeline and efforts to promote job creation in distressed counties, to the creation of the state Housing Finance Commission and the Office of Minority and Women's Business Enterprises; and

WHEREAS, First Lady Lois Spellman's commitment to her husband and their six children remained steady and sturdy from their "I Do" through the governor's mansion and beyond; and

WHEREAS, Mrs. Spellman insisted that the Legislature designate employees of the governor's mansion as state employees with health care and pension benefits, worked to display art by local Northwest painters and artists, and hosted receptions honoring such artists as Kenneth Callahan, Fay Jones, and Elton Bennett; and

WHEREAS, The Spellmans' work to protect and better Puget Sound represented a profile in courage;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the life and service of Governor John Spellman and First Lady Lois Spellman and recognize their dedication to civility, community, and the great state of Washington.

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Spellmans' children Margo, Bart, David, Jeffrey, Teresa, and Kat.

Senators Schoesler, Hunt and Padden spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8702.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of Governor Spellman's family who were seated in the gallery: Mr. David Miner, grandson; Mr. David Spellman, Son; Mr. Jeffrey T. Spellman, son; Mr. John Dolan Spellman, grandson; Miss Lela Renaud Spellman, granddaughter; Mrs. Lisa M. Spellman, daughter-in-law; Ms. Margo Spellman, daughter; Mr. Patrick John Gamble, grandson; Mr. S. Bart Spellman, son; Mrs. Teresa Spellman Gamble, daughter; and Mr. Tim Gamble, son-in-law.

MOTION

At 2:32 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:24 p.m. by President Habib.

MOTION

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

SECOND READING

SENATE BILL NO. 6587, by Senators Hasegawa and Van De Wege

Concerning the transparency of local taxing districts.

MOTION

On motion of Senator Hasegawa, Substitute Senate Bill No. 6587 was substituted for Senate Bill No. 6587 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, floor striking amendment no. 516 by Senator Short to Substitute Senate Bill No. 6587 was withdrawn.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 10. A new section is added to chapter 87.03 RCW to read as follows:

An irrigation district must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions.

NEW SECTION. Sec. 11. A new section is added to chapter 35.58 RCW to read as follows:

A metropolitan municipal corporation must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the corporation, and whether taxes are collected on behalf of other political subdivisions.

NEW SECTION. Sec. 12. A new section is added to chapter 54.04 RCW to read as follows:

A public utility district must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions.

NEW SECTION. Sec. 13. A new section is added to chapter 85.08 RCW to read as follows:

Diking, drainage, and sewerage improvement districts must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the districts, and whether taxes are collected on behalf of other political subdivisions.

NEW SECTION. Sec. 14. A new section is added to chapter 36.58A RCW to read as follows:

Solid waste collection districts must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the districts, and whether taxes are collected on behalf of other political subdivisions.

NEW SECTION. Sec. 15. A new section is added to chapter 36.58 RCW to read as follows:

Solid waste disposal districts must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the districts, and whether taxes are collected on behalf of other political subdivisions.

NEW SECTION. Sec. 16. A new section is added to chapter 36.95 RCW to read as follows:

Television reception improvement districts must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the districts, and whether taxes are collected on behalf of other political subdivisions.

NEW SECTION. Sec. 17. A new section is added to chapter 57.02 RCW to read as follows:

Water-sewer districts must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the districts, and whether taxes are collected on behalf of other political subdivisions.

NEW SECTION. Sec. 18. A new section is added to chapter 35.92 RCW to read as follows:

A city or town operating as a municipal utility under this chapter must make the following information available upon the request of its customers or taxpayers within its boundaries: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the city or town, and whether taxes are collected on behalf of other political subdivisions."

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "adding a new section to chapter 87.03 RCW; adding a new section to chapter 35.58 RCW; adding a new section to chapter 54.04 RCW; adding a new section to chapter 85.08 RCW; adding a new section to chapter 36.58A RCW; adding a new section to chapter 36.58 RCW; adding a new section to chapter 36.95 RCW; adding a new section to chapter 57.02 RCW; and adding a new section to chapter 35.92 RCW."

WITHDRAWAL OF AMENDMENT

On motion of Senator Hasegawa and without objection, floor striking amendment no. 592 by Senator Hasegawa to Substitute Senate Bill No. 6587 was withdrawn.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 19. A new section is added to chapter 87.03 RCW to read as follows:

An irrigation district must disclose on each billing statement the rates of state and local taxes imposed on the district with respect to the billed services, if any. The district must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement. If a district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its boundaries.

NEW SECTION. Sec. 20. A new section is added to chapter 35.58 RCW to read as follows:

A metropolitan municipal corporation must disclose on each billing statement the rates of state and local taxes imposed on the corporation with respect to the billed services, if any. The corporation must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement. If a corporation does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available

upon the request of any taxpayer within its boundaries.

NEW SECTION. Sec. 21. A new section is added to chapter 54.04 RCW to read as follows:

A public utility district must disclose on each billing statement the rates of state and local taxes imposed on the district with respect to the billed services, if any. The district must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement. If a district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its boundaries.

NEW SECTION. Sec. 22. A new section is added to chapter 85.08 RCW to read as follows:

Diking, drainage, and sewerage improvement districts must disclose on each billing statement the rates of state and local taxes imposed on the district with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement. If a district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its boundaries.

NEW SECTION. Sec. 23. A new section is added to chapter 36.58A RCW to read as follows:

Solid waste collection districts must disclose on each billing statement the rates of state and local taxes imposed on the district with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement. If a district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its boundaries.

NEW SECTION. Sec. 24. A new section is added to chapter 36.58 RCW to read as follows:

Solid waste disposal districts must disclose on each billing statement the rates of state and local taxes imposed on the district with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement. If a district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its boundaries.

NEW SECTION. Sec. 25. A new section is added to chapter 36.95 RCW to read as follows:

Television reception improvement districts must disclose on each billing statement the rates of state and local taxes imposed on the district with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement. If a district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its boundaries.

NEW SECTION. Sec. 26. A new section is added to chapter 57.02 RCW to read as follows:

Water-sewer districts must disclose on each billing statement the rates of state and local taxes imposed on the district with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the

customer or taxpayer through the billing statement. If a district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its boundaries.

NEW SECTION. Sec. 27. A new section is added to chapter 35.92 RCW to read as follows:

A city or town operating as a municipal utility under this chapter must disclose on each billing statement the rates of state and local taxes imposed on the municipal utility with respect to the billed services, if any. The city or town must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement. If a city or town does not issue billing statements for any of the services it provides as a municipal utility, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its service boundaries.

Sec. 28. RCW 19.29A.030 and 1998 c 300 s 4 are each amended to read as follows:

Except as otherwise provided in RCW 19.29A.040, an electric utility (~~shall~~) **must**:

(1) Provide notice to all of its retail electric customers that the disclosures required in RCW 19.29A.020 are available without charge upon request. Such notice (~~shall~~) **must** be provided at the time service is established and either included as a prominent part of each customer's bill or in a written notice mailed to each customer at least once a year thereafter. Required disclosures (~~shall~~) **must** be provided without charge, in writing using plain language that is understandable to an ordinary customer, and presented in a form that is clear and conspicuous(-);

(2) Provide written or electronic notice of public hearings where changes in electricity rates will be considered or approved by the commission or governing body, in a form and manner as may be required by the commission or governing body;

(3) Disclose on each billing statement the rate of tax imposed upon the electric utility under RCW 35.21.870, if any, and the amount of such tax to be paid directly by the retail electric customer through the billing statement;

(4) Disclose the following information in a prominent manner on all billing statements sent to retail electric customers, or by a separate written notice mailed to all retail electric customers at least quarterly and at the same time as a billing statement: "YOUR BILL INCLUDES CHARGES FOR ELECTRICITY, DELIVERY SERVICES, GENERAL ADMINISTRATION AND OVERHEAD, METERING, TAXES, CONSERVATION EXPENSES, AND OTHER ITEMS."

NEW SECTION. Sec. 29. This act takes effect September 1, 2018."

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "amending RCW 19.29A.030; adding a new section to chapter 87.03 RCW; adding a new section to chapter 35.58 RCW; adding a new section to chapter 54.04 RCW; adding a new section to chapter 85.08 RCW; adding a new section to chapter 36.58A RCW; adding a new section to chapter 36.58 RCW; adding a new section to chapter 36.95 RCW; adding a new section to chapter 57.02 RCW; adding a new section to chapter 35.92 RCW; and providing an effective date."

MOTION

Senator Angel moved that the following striking floor amendment no. 594 by Senator Angel be adopted:

Strike everything after the enacting clause and insert the

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

following:

NEW SECTION. Sec. 30. A new section is added to chapter 87.03 RCW to read as follows:

An irrigation district may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions. If an irrigation district does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries.

NEW SECTION. Sec. 31. A new section is added to chapter 35.58 RCW to read as follows:

A metropolitan municipal corporation may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the metropolitan municipal corporation, and whether taxes are collected on behalf of other political subdivisions. If a metropolitan municipal corporation does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries.

NEW SECTION. Sec. 32. A new section is added to chapter 54.04 RCW to read as follows:

A public utility district may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions. If a public utility district does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries.

NEW SECTION. Sec. 33. A new section is added to chapter 85.08 RCW to read as follows:

Diking, drainage, and sewer improvement districts may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions. If a district does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries.

NEW SECTION. Sec. 34. A new section is added to chapter 36.58A RCW to read as follows:

Solid waste collection districts may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions. If a district does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries.

NEW SECTION. Sec. 35. A new section is added to chapter 36.58 RCW to read as follows:

Solid waste disposal districts may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges,

including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions. If a district does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries.

NEW SECTION. Sec. 36. A new section is added to chapter 36.95 RCW to read as follows:

Television reception improvement districts may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions. If a district does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries.

NEW SECTION. Sec. 37. A new section is added to chapter 57.02 RCW to read as follows:

Water-sewer districts may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the district, and whether taxes are collected on behalf of other political subdivisions. If a district does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries.

NEW SECTION. Sec. 38. A new section is added to chapter 35.92 RCW to read as follows:

A city or town operating as a municipal utility under this chapter may disclose the following information in a prominent manner on all billing statements sent to customers: An itemized listing of all rates and charges, including the amount of state and local taxes collected and paid by the city or town, and whether taxes are collected on behalf of other political subdivisions. If a city or town does not issue billing statements for any of the services it provides, it may make available rate and charge information for each such service upon request of any taxpayer within its boundaries."

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "adding a new section to chapter 87.03 RCW; adding a new section to chapter 35.58 RCW; adding a new section to chapter 54.04 RCW; adding a new section to chapter 85.08 RCW; adding a new section to chapter 36.58A RCW; adding a new section to chapter 36.58 RCW; adding a new section to chapter 36.95 RCW; adding a new section to chapter 57.02 RCW; and adding a new section to chapter 35.92 RCW."

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

Senator Hasegawa spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 594 by Senator Angel to Substitute Senate Bill No. 6587.

The motion by Senator Angel did not carry and striking floor amendment no. 594 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, Senator Carlyle was excused.

MOTION

Senator Hasegawa moved that the following striking floor amendment no. 618 by Senators Hasegawa and Short be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 35.58 RCW to read as follows:

(1) Any metropolitan municipal corporation serving ten thousand or more customers or taxpayers must disclose on each billing statement the rates of state and local taxes imposed on the corporation with respect to the billed services, if any. The corporation must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement.

(2) A metropolitan municipal corporation serving less than ten thousand but more than five thousand customers or taxpayers must disclose the state and local tax information required in subsection (1) of this section upon the next update to its billing system or by January 1, 2023, whichever is earlier.

(3) Metropolitan municipal corporations serving five thousand or less customers or taxpayers are encouraged, but not required, to provide the state and local tax information as described in subsection (1) of this section.

(4) If a metropolitan municipal corporation does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its service boundaries.

NEW SECTION. Sec. 2. A new section is added to chapter 54.04 RCW to read as follows:

(1) Any public utility district serving ten thousand or more customers or taxpayers must disclose on each billing statement the rates of state and local taxes imposed on the corporation with respect to the billed services, if any. The district must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement.

(2) A public utility district serving less than ten thousand but more than five thousand customers or taxpayers must disclose the state and local tax information required in subsection (1) of this section upon the next update to its billing system or by January 1, 2023, whichever is earlier.

(3) Public utility districts serving five thousand or less customers or taxpayers are encouraged, but not required, to provide the state and local tax information as described in subsection (1) of this section.

(4) If a public utility district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its service boundaries.

NEW SECTION. Sec. 3. A new section is added to chapter 85.08 RCW to read as follows:

(1) Any diking, drainage, and sewerage improvement districts serving ten thousand or more customers or taxpayers must disclose on each billing statement the rates of state and local taxes imposed on the corporation with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement.

(2) A diking, drainage, and sewerage improvement district serving less than ten thousand but more than five thousand customers or taxpayers must disclose the state and local tax information required in subsection (1) of this section upon the next update to its billing system or by January 1, 2023, whichever

is earlier.

(3) Diking, drainage, and sewerage improvement districts serving five thousand or less customers or taxpayers are encouraged, but not required, to provide the state and local tax information as described in subsection (1) of this section.

(4) If a diking, drainage, and sewerage improvement district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its service boundaries.

NEW SECTION. Sec. 4. A new section is added to chapter 36.58A RCW to read as follows:

(1) Any solid waste collection districts serving ten thousand or more customers or taxpayers must disclose on each billing statement the rates of state and local taxes imposed on the corporation with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement.

(2) A solid waste collection district serving less than ten thousand but more than five thousand customers or taxpayers must disclose the state and local tax information required in subsection (1) of this section upon the next update to its billing system or by January 1, 2023, whichever is earlier.

(3) Solid waste collection districts serving five thousand or less customers or taxpayers are encouraged, but not required, to provide the state and local tax information as described in subsection (1) of this section.

(4) If a solid waste collection district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its service boundaries.

NEW SECTION. Sec. 5. A new section is added to chapter 36.58 RCW to read as follows:

(1) Any solid waste disposal districts serving ten thousand or more customers or taxpayers must disclose on each billing statement the rates of state and local taxes imposed on the corporation with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement.

(2) A solid waste disposal district serving less than ten thousand but more than five thousand customers or taxpayers must disclose the state and local tax information required in subsection (1) of this section upon the next update to its billing system or by January 1, 2023, whichever is earlier.

(3) Solid waste disposal districts serving five thousand or less customers or taxpayers are encouraged, but not required, to provide the state and local tax information as described in subsection (1) of this section.

(4) If a solid waste disposal district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its service boundaries.

NEW SECTION. Sec. 6. A new section is added to chapter 57.02 RCW to read as follows:

(1) Any water-sewer districts serving ten thousand or more customers or taxpayers must disclose on each billing statement the rates of state and local taxes imposed on the corporation with respect to the billed services, if any. The districts must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement.

(2) A water-sewer district serving less than ten thousand but more than five thousand customers or taxpayers must disclose the

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

state and local tax information required in subsection (1) of this section upon the next update to its billing system or by January 1, 2023, whichever is earlier.

(3) Water-sewer districts serving five thousand or less customers or taxpayers are encouraged, but not required, to provide the state and local tax information as described in subsection (1) of this section.

(4) If a water-sewer district does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its service boundaries.

NEW SECTION. Sec. 7. A new section is added to chapter 35.92 RCW to read as follows:

(1) Any city or town operating as a municipal utility under this chapter serving ten thousand or more customers or taxpayers must disclose on each billing statement the rates of state and local taxes imposed on the corporation with respect to the billed services, if any. The municipal utility must also disclose the amount of any such taxes to be paid directly by the customer or taxpayer through the billing statement.

(2) A city or town operating as a municipal utility under this chapter serving less than ten thousand but more than five thousand customers or taxpayers must disclose the state and local tax information required in subsection (1) of this section upon the next update to its billing system or by January 1, 2023, whichever is earlier.

(3) A city or town operating as a municipal utility under this chapter serving five thousand or less customers or taxpayers is encouraged, but not required, to provide the state and local tax information as described in subsection (1) of this section.

(4) If a city or town operating as a municipal utility under this chapter does not issue billing statements for any of the services it provides, it must make the state and local tax information in this section for each such service available upon the request of any taxpayer within its service boundaries.

Sec. 8. RCW 19.29A.030 and 1998 c 300 s 4 are each amended to read as follows:

Except as otherwise provided in RCW 19.29A.040, an electric utility (~~shall~~) **must**:

(1) Provide notice to all of its retail electric customers that the disclosures required in RCW 19.29A.020 are available without charge upon request. Such notice (~~shall~~) **must** be provided at the time service is established and either included as a prominent part of each customer's bill or in a written notice mailed to each customer at least once a year thereafter. Required disclosures (~~shall~~) **must** be provided without charge, in writing using plain language that is understandable to an ordinary customer, and presented in a form that is clear and conspicuous(=);

(2) Provide written or electronic notice of public hearings where changes in electricity rates will be considered or approved by the commission or governing body, in a form and manner as may be required by the commission or governing body;

(3) Disclose on each billing statement the rate of tax imposed upon the electric utility under RCW 35.21.870, if any, and the amount of such tax to be paid directly by the retail electric customer through the billing statement;

(4) Disclose the following information in a prominent manner on all billing statements sent to retail electric customers, or by a separate written notice mailed to all retail electric customers at least quarterly and at the same time as a billing statement: "YOUR BILL INCLUDES CHARGES FOR ELECTRICITY, DELIVERY SERVICES, GENERAL ADMINISTRATION AND OVERHEAD, METERING, TAXES, CONSERVATION EXPENSES, AND OTHER ITEMS."

NEW SECTION. Sec. 9. This act takes effect September 1, 2018."

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "amending RCW 19.29A.030; adding a new section to chapter 35.58 RCW; adding a new section to chapter 54.04 RCW; adding a new section to chapter 85.08 RCW; adding a new section to chapter 36.58A RCW; adding a new section to chapter 36.58 RCW; adding a new section to chapter 57.02 RCW; adding a new section to chapter 35.92 RCW; and providing an effective date."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 618 by Senators Hasegawa and Short to Substitute Senate Bill No. 6587.

The motion by Senator Hasegawa carried and striking floor amendment no. 618 was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Substitute Senate Bill No. 6587 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa, Short, Takko and Chase spoke in favor of passage of the bill.

Senator Angel 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. 6587.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6587 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 13; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Sheldon, Short, Takko, Van De Wege, Warnick, Wellman and Zeiger

Voting nay: Senators Angel, Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Honeyford, Padden, Rivers, Schoesler, Wagoner and Wilson

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 6587, having received the constitutional majority, 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. 5928, by Senators Rivers, Palumbo and Hasegawa

Making financial services available to marijuana producers, processors, retailers, qualifying patients, health care professionals, and designated providers as authorized under chapters 69.50 and 69.51A RCW.

MOTION

On motion of Senator Rivers, Substitute Senate Bill No. 5928 was substituted for Senate Bill No. 5928 and the substitute bill

was placed on the second reading and read the second time.

MOTION

Senator Mullet moved that the following striking floor amendment no. 617 by Senators Mullet and Rivers be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 10. A new section is added to chapter 9.01 RCW to read as follows:

(1) A person or entity that receives deposits, extends credit, conducts funds transfers, transports cash or financial instruments on behalf of a financial institution, or provides other financial services for a marijuana producer, marijuana processor, or marijuana retailer authorized under chapter 69.50 RCW or for a qualifying patient, health care professional, or designated provider authorized under chapter 69.51A RCW, does not commit a crime under any Washington law solely by virtue of receiving deposits, extending credit, conducting funds transfers, transporting cash or other financial instruments, or providing other financial services for the person.

(2) For the purposes of this section, "person or entity" means a financial institution as defined in RCW 30A.22.040, an armored car service operating under a permit issued by the utilities and transportation commission that has been contracted by a financial institution, or a person providing financial services pursuant to a license issued under chapter 18.44, 19.230, or 31.04 RCW.

(3) A certified public accountant or certified public accounting firm, which practices public accounting as defined in RCW 18.04.025, does not commit a crime solely for providing professional accounting services as specified in RCW 18.04.025 for a marijuana producer, marijuana processor, or marijuana retailer authorized under chapter 69.50 RCW."

On page 1, line 4 of the title, after "69.51A RCW;" strike the remainder of the title and insert "and adding a new section to chapter 9.01 RCW."

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 floor amendment no. 617 by Senators Mullet and Rivers on page , line to Engrossed Substitute Senate Bill No. 5928.

The motion by Senator Mullet carried and striking floor amendment no. 617 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute Senate Bill No. 5928 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Angel spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5928.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5928 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Fortunato, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Angel, Bailey, Brown, Ericksen, Hawkins, Honeyford, O'Ban, Padden and Schoesler

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5928, having received the constitutional majority, 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. 6159, by Senators Takko, Honeyford, Fain and Chase

Concerning the reauthorization of the underground storage tank program.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 6159 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Takko 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. 6159.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6159 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6159, having received the constitutional majority, 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. 6168, by Senators Kuderer, Mullet, Hunt and Lias

Concerning school composting and recycling.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended,

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

Senate Bill No. 6168 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Zeiger spoke in favor of passage of the bill.

Senator Fortunato spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6168.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6168 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6168, having received the constitutional majority, 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. 6201, by Senators Lias, Zeiger, Carlyle and Palumbo

Making the open educational resources project permanent.

The measure was read the second time.

MOTION

On motion of Senator Lias, the rules were suspended, Senate Bill No. 6201 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lias 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. 6201.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6201 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6201, having received the constitutional majority, 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. 6319, by Senators Honeyford and Van De Wege

Implementing the federal produce safety rule.

The measure was read the second time.

MOTION

On motion of Senator Honeyford, the rules were suspended, Senate Bill No. 6319 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford 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. 6319.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6319 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6319, having received the constitutional majority, 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. 6474, by Senators McCoy, Sheldon, Chase, Conway, Frockt, Hasegawa, Hunt, Kuderer, Palumbo, Rolfes, Saldaña and Van De Wege

Creating a pilot project for tribal compact schools.

MOTIONS

On motion of Senator McCoy, Substitute Senate Bill No. 6474 was substituted for Senate Bill No. 6474 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McCoy, the rules were suspended, Substitute Senate Bill No. 6474 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy and Zeiger 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. 6474.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6474 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman and Zeiger

Voting nay: Senators Becker, Brown and Wilson

Excused: Senators Baumgartner and Walsh

SUBSTITUTE SENATE BILL NO. 6474, having received the constitutional majority, 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 Keiser, Baumgartner, Hasegawa and Conway

Regarding an employer's payment of indebtedness upon the death of an employee.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 6197 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 Senate Bill No. 6197.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6197 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

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. 6493, by Senators Billig, Palumbo, Ranker, Carlyle, Hasegawa and Kuderer

Increasing transparency and accountability for intercollegiate athletic programs.

MOTIONS

On motion of Senator Billig, Substitute Senate Bill No. 6493 was substituted for Senate Bill No. 6493 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Billig, the rules were suspended, Substitute Senate Bill No. 6493 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. 6493.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6493 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Fain

Excused: Senators Baumgartner and Walsh

SUBSTITUTE SENATE BILL NO. 6493, having received the 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 4:18 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus.

EVENING SESSION

The Senate was called to order at 5:02 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 6161, by Senators Becker, Hunt, Fain, Rivers, Kuderer, Saldaña, Zeiger, Bailey, Carlyle, Conway, Wilson, Rolfes, Wellman, Hasegawa, Honeyford, Darneille, Angel, Liias, Walsh, O'Ban, Sheldon, Palumbo, Fortunato, Hobbs, Short, Mullet, Van De Wege and Wagoner

Establishing a training course for campaign treasurers.

MOTION

On motion of Senator Becker, Substitute Senate Bill No. 6161 was substituted for Senate Bill No. 6161 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Honeyford moved that the following floor amendment no. 630 by Senators Becker, Honeyford and Hunt be adopted:

On page 2, after line 31, strike all material down through "dollars." on page 3, line 2, and insert the following:

"(b) After May 1, 2019, no treasurer or deputy treasurer, other than a candidate, may be deemed to be in compliance with the provisions of this chapter until his or her name and address is filed with the commission and he or she is trained and currently certified by the commission pursuant to section 1 of this act, unless:

(i) The candidate or political committee does not expect to receive contributions or make expenditures of more than five thousand dollars; or

(ii) The treasurer or deputy treasurer will not receive more than nominal compensation for serving as treasurer or deputy treasurer."

Senators Honeyford and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 630 by Senators Becker, Honeyford and Hunt on page 2, after line 31 to Engrossed Substitute Senate Bill No. 6161.

The motion by Senator Honeyford carried and floor amendment no. 630 was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 6161 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker 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. 6161.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6161 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Ericksen, King and Padden

Excused: Senators Baumgartner, Honeyford and Walsh

SUBSTITUTE SENATE BILL NO. 6161, having received the constitutional majority, 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. 6141, by Senators McCoy, Wellman, Van De Wege, Keiser, Hasegawa and Kuderer

Strengthening school district plans for recognition, screening, and response to emotional or behavioral distress in students.

MOTIONS

On motion of Senator McCoy, Substitute Senate Bill No. 6141 was substituted for Senate Bill No. 6141 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McCoy, the rules were suspended, Substitute Senate Bill No. 6141 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy, Zeiger, Wellman and Brown 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. 6141.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6141 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner, Honeyford and Walsh

SUBSTITUTE SENATE BILL NO. 6141, having received the constitutional majority, 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 Warnick, Schoesler and Chase

Concerning the use of seed certification fees.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6278 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 Senate Bill No. 6278.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6278 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner, Honeyford and Walsh

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.

SECOND READING

SENATE BILL NO. 6379, by Senators Fain, Keiser, Takko and Short

Requiring a public hearing before a local government may remove a recorded restrictive covenant from land owned by the local government.

The measure was read the second time.

MOTION

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

On page 1, line 10, after "covenant" insert ", or any known covenant from an unrecorded deed."

On page 1, line 20, after "the" strike "recorded restrictive" and insert "~~((restrictive))~~"

On page 2, line 6, after "covenant" insert ", or any known covenant from an unrecorded deed."

On page 2, line 15, after "the" strike "recorded restrictive" and insert "~~((restrictive))~~"

On page 2, line 22, after "covenant" insert ", or any known covenant from an unrecorded deed."

On page 2, line 31, after "the" strike "recorded restrictive" and insert "~~((restrictive))~~"

Senator Fain spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 584 by Senator Fain on page 1, line 10 to Engrossed Senate Bill No. 6379.

The motion by Senator Fain carried and floor amendment no. 584 was adopted by voice vote.

MOTION

On motion of Senator Fain, the rules were suspended, Engrossed Senate Bill No. 6379 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain 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. 6379.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6379 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Baumgartner and Walsh

ENGROSSED SENATE BILL NO. 6379, having received the constitutional majority, 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. 5397, by Senators Warnick, Liias, Walsh, Nelson, O'Ban, Billig, Kuderer, King, Honeyford, Wilson, Pedersen, Hunt, Wellman, Saldaña and Carlyle

Requiring disclosure by entities that compensate for petition signatures.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 5397 was substituted for Senate Bill No. 5397 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following striking floor amendment no. 613 by Senator Warnick be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 11. (1) The legislature recognizes that forged signatures on petitions is an increasing problem. Initiative or referendum petitions suspected of containing fabricated names or forged signatures have been submitted to the office of the secretary of state.

(2) The legislature recognizes that, because of the sensitivity of data collected by signature gatherers and the need to ensure public safety, it is important there be a level of accountability for those employed to collect signatures and those who employ signature gatherers as required for other employers and employees engaged in the political process in Washington.

(3) The legislature recognizes that the public has a right to know which entities are compensating individuals to gather signatures in Washington state, just as the public has a right to know which entities compensate lobbyists or contribute to political campaigns.

(4) The legislature further recognizes that it should be easier for voters and property owners to contact entities that compensate signature gatherers when signature gatherers cause problems such as harassment of customers to mitigate those problems.

(5) The legislature recognizes that requiring disclosure by the entities that compensate for petition signatures is consistent with Washington's existing disclosure laws, promotes transparency in government, and will result in more accurate information.

NEW SECTION. Sec. 12. A new section is added to chapter 42.17A RCW to read as follows:

(1) Any ballot measure sponsor or political committee that employs, or expects to employ, any person for the purpose of compensating individuals for gathering signatures on a state or local initiative, referendum, or recall petition in this state must, at the time of registration or within ten days of employing the person, disclose to the commission:

(a) The name of the person employed for the purpose of compensating individuals to gather signatures;

(b) The physical and mailing addresses of the person employed

for the purpose of compensating individuals to gather signatures;

(c) The phone number of the person employed for the purpose of compensating individuals to gather signatures;

(d) An email address for the person employed for the purpose of compensating individuals to gather signatures; and

(e) A list of the initiative, referendum, and recall petitions for which the person employed is compensating individuals to gather signatures.

(2) The commission must make the information disclosed in subsection (1) of this section available to the public on its web site within two days of receipt.

NEW SECTION. Sec. 13. A new section is added to chapter 42.17A RCW to read as follows:

(1) The ballot measure sponsor or political committee must ensure that each person that directly compensates any individual for gathering signatures is keeping the following information on file until two years after the certification date of the ballot measures for which an individual was compensated for gathering signatures, and provide the information to the commission or any law enforcement agency if in response to an active investigation:

(a) The full name, and any assumed names, of the signature gatherer;

(b) The permanent address of the signature gatherer, and a Washington address if the signature gatherer is from out of state;

(c) The phone number of the signature gatherer;

(d) An email address for the signature gatherer;

(e) A digital photograph of the signature gatherer taken within the past twelve months that satisfies the requirements of a photo for a United States passport;

(f) A copy of the signature gatherer's driver's license, state identification card, or other government-issued photo identification;

(g) A list of the initiative, referendum, and recall petitions on which the signature gatherer will be gathering signatures or has gathered signatures;

(h) Documentation that the signature gatherer has completed a training program that includes the rights and responsibilities of voters, signature gatherers, public property owners, and private property owners in the initiative and referendum process. The training program must be available in electronic format and easy to access for the signature gatherer; and

(i) Confirmation that a national background check has been completed on the signature gatherer and that the signature gatherer has not been convicted of a criminal offense involving fraud, forgery, or identity theft in any state in the past five years, or has not been found in violation of any election law under chapter 29A.84 RCW, or its equivalent in another jurisdiction, in the past five years.

(2) A person may not compensate any individual for gathering signatures on a state or local initiative, referendum, or recall petition if the individual:

(a) Has been convicted of a criminal offense involving fraud, forgery, or identification theft in any jurisdiction within the past five years;

(b) Has been convicted of a crime under chapter 29A.84 RCW, or its equivalent in another jurisdiction, in the past five years; or

(c) Has been found in violation of elections law under chapter 29A.84 RCW, or its equivalent in another jurisdiction, in the past five years.

(3) A person must, within five days, update his or her disclosure if he or she agrees to or compensates for signatures on an initiative, referendum, or recall petition not already disclosed.

(4) A person may not condition compensation for petition signatures based on receiving other petition signatures for free.

(5) Any violation of this section is subject to a penalty pursuant

to RCW 42.17A.755.

(6) The commission may adopt rules to implement this section.

(7) Information disclosed to the commission or a law enforcement agency under this section is exempt from public inspection and copying under chapter 42.56 RCW.

NEW SECTION. Sec. 14. A new section is added to chapter 29A.04 RCW to read as follows:

(1) The secretary of state shall provide references to applicable statutes and case law for inclusion in training programs for signature gatherers as required by section 3(1)(h) of this act.

(2) The secretary of state shall post a link to the public disclosure commission's web site for each corresponding state initiative, referendum, or recall petition disclosing the information provided under section 2 of this act.

NEW SECTION. Sec. 15. This act takes effect January 1, 2020."

On page 1, line 2 of the title, after "petitions;" strike the remainder of the title and insert "adding new sections to chapter 42.17A RCW; adding a new section to chapter 29A.04 RCW; creating a new section; prescribing penalties; and providing an effective date."

Senator Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 613 by Senator Warnick on page , line to Engrossed Substitute Senate Bill No. 5397.

The motion by Senator Warnick carried and striking floor amendment no. 613 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5397 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 Engrossed Substitute Senate Bill No. 5397.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5397 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Frockt, Hasegawa, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Schoesler, Sheldon, Takko, Van De Wege, Warnick, Wellman and Wilson

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Miloscia, O'Ban, Padden, Rivers, Short, Wagoner and Zeiger

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5397, having received the constitutional majority, 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. 6277, by Senators Darneille, Kuderer and Saldaña

Creating a graduated reentry program of partial confinement for certain offenders.

MOTION

On motion of Senator Darneille, 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.

WITHDRAWAL OF AMENDMENT

On motion of Senator Wagoner and without objection, floor amendment no. 620 by Senator Wagoner on page 21, line 16 to Substitute Senate Bill No. 6277 was withdrawn.

On page 21, after line 16, insert the following:

"NEW SECTION. Sec. 6. All financial savings realized by this act must be used solely for the development, expansion, and maintenance of evidenced-based graduated reentry programming and mental health treatment."

On page 1, line 3 of the title, after "RCW 9.94A.728;" strike "and" and on line 4, after "9.94A RCW" insert "; and creating a new section"

MOTION

On motion of Senator Darneille, 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 Darneille and O'Ban spoke in favor of passage of the bill.

Senators Padden and Angel spoke against 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, 33; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege, Warnick, Wellman and Zeiger

Voting nay: Senators Angel, Bailey, Becker, Brown, Ericksen, Fortunato, Honeyford, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner and Wilson

Excused: Senators Baumgartner and Walsh

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.

MOTION

At 5:45 p.m., on motion of Senator Lias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 6:48 p.m. by President Pro Tempore Keiser.

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator King moved that Lowel Krueger, Senate Gubernatorial Appointment No. 9294, be confirmed as a member of the Housing Finance Commission.

Senator King spoke in favor of the motion.

APPOINTMENT OF LOWEL KRUEGER

The President Pro Tempore declared the question before the Senate to be the confirmation of Lowel Krueger, Senate Gubernatorial Appointment No. 9294, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Lowel Krueger, Senate Gubernatorial Appointment No. 9294, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 3; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Absent: Senators Ericksen, Hobbs and Rivers

Excused: Senators Baumgartner and Walsh

Lowel Krueger, Senate Gubernatorial Appointment No. 9294, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

MOTION

Senator Lias moved that Steven Moss, Senate Gubernatorial Appointment No. 9092, be confirmed as a member of the Housing Finance Commission.

Senator Lias spoke in favor of the motion.

MOTION

On motion of Senator Bailey, Senator Rivers was excused.

MOTION

On motion of Senator Saldaña, Senator Hobbs was excused.

APPOINTMENT OF STEVEN MOSS

The President Pro Tempore declared the question before the Senate to be the confirmation of Steven Moss, Senate Gubernatorial Appointment No. 9092, as a member of the Housing Finance Commission.

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

The Secretary called the roll on the confirmation of Steven Moss, Senate Gubernatorial Appointment No. 9092, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner, Rivers and Walsh

Steven Moss, Senate Gubernatorial Appointment No. 9092, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

MOTION

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

SECOND READING

SENATE BILL NO. 6113, by Senators Bailey, Keiser, Darneille and Rivers

Concerning priority processing for adult family home license applications.

The measure was read the second time.

MOTION

On motion of Senator Bailey, the rules were suspended, Senate Bill No. 6113 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Sensors Bailey and Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6113.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6113 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6113, having received the constitutional majority, 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. 5643, by Senators Wellman, Hobbs and Saldaña

Concerning lead-based paint certification fees.

The measure was read the second time.

MOTION

On motion of Senator Wellman, Substitute Senate Bill No. 5643 was not substituted for Senate Bill No. 5643 and the substitute bill was not adopted.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 5643 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 Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5643.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5643 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Voting nay: Senators Angel, Bailey, Becker, Brown, Ericksen, Fortunato, Hawkins, Honeyford, King, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 5643, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Habib resumed the chair.

SECOND READING

SENATE BILL NO. 6351, by Senators Van De Wege, Chase and Keiser

Authorizing the health care authority to require fingerprint-based background checks and conviction record checks for the nonemergency medical transportation program.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 6351 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. 6351.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6351 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6351, having received the constitutional majority, 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. 6226, by Senators Keiser, Conway, Cleveland, Kuderer and Saldaña

Improving health outcomes for injured workers by facilitating better access to medical records and telemedicine.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6226 was substituted for Senate Bill No. 6226 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Becker moved that the following floor amendment no. 476 by Senators Becker and Keiser be adopted:

On page 2, beginning on line 8, strike all of subsection (3) and insert the following:

"(3) The director shall adopt policies developed by the telemedicine collaborative pursuant to section 2 of this act to establish access to telemedicine for independent medical exams and reimburse independent medical exam physicians for services.

(4) Physicians must undertake the training developed by the telemedicine collaborative in section 2 of this act, prior to performing any independent medical exams through telemedicine.

(5) For purposes of this section, "the telemedicine collaborative" means the collaborative for the advancement of telemedicine created by section 2, chapter 68, Laws of 2016.

NEW SECTION. Sec. 2. A new section is added to chapter 51.36 RCW to read as follows:

(1) The telemedicine collaborative shall develop policies for the department to establish access to telemedicine for independent medical exams and reimburse independent medical exam physicians for services in a manner that is similar to the policies developed for commercial health insurance plans under RCW 48.43.735 and medicaid managed care plans under RCW 74.09.325.

(2) The telemedicine collaborative shall develop a training program to train physicians who perform independent medical exams. The training program must be offered to physicians

seeking to provide independent medical exams through telemedicine.

(3) For purposes of this section, "the telemedicine collaborative" means the collaborative for the advancement of telemedicine created by section 2, chapter 68, Laws of 2016."

On page 1, at the beginning of line 3 of the title, strike "and" and after "RCW 51.36.070" insert "; and adding a new section to chapter 51.36 RCW"

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

The President declared the question before the Senate to be the adoption of floor amendment no. 476 by Senators Becker and Keiser on page 2, line 8 to Engrossed Substitute Senate Bill No. 6226.

The motion by Senator Becker carried and floor amendment no. 476 was adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 622 by Senators Braun and Keiser be adopted:

On page 2, beginning on line 14, after "worker." strike all material through "any" on line 15 and insert "Any"

On page 2, line 17, after "provider" insert ", who has been approved through the department's credentialing process for independent medical examination providers"

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

The President declared the question before the Senate to be the adoption of floor amendment no. 622 by Senators Braun and Keiser on page 2, line 14 to Engrossed Substitute Senate Bill No. 6226.

The motion by Senator Braun carried and floor amendment no. 622 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6226 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.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6226.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6226 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 6226, having received the constitutional majority, was declared passed.

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6213, by Senators Ranker, Conway, Hobbs, Keiser, Van De Wege, Palumbo, Hasegawa, Saldaña, Hunt, Walsh, Kuderer, Wellman and Fortunato

Addressing the presumption of occupational disease for purposes of workers' compensation by adding medical conditions to the presumption and extending the presumption to certain publicly employed firefighters and investigators and law enforcement.

The measure was read the second time.

MOTION

Senator Ranker moved that the following floor amendment no. 652 by Senator Ranker be adopted:

On page 1, line 16, after "heart problems" strike "or strokes"
On page 2, at the beginning of line 4, after "problems" strike "or strokes"

On page 2, line 26, after "(A)" strike "Subject to (a)(ii)(B) of this subsection, was" and insert "Was"

On page 2, line 28, after "cancer" insert "; or

(B)(I) For a firefighter or fire investigator who became a firefighter or fire investigator on or after the effective date of this section, the employer did not provide a qualifying medical examination upon becoming a firefighter or fire investigator; or

(II) For a firefighter or fire investigator who became a firefighter or fire investigator before the effective date of this section, the employer did not provide a qualifying medical examination upon becoming a firefighter or fire investigator and the employer provides a qualifying medical examination on or before July 1, 2019. If a firefighter or fire investigator described in this subsection (3)(a)(ii)(B)(II) did not receive a qualifying medical examination before July 1, 2019, or is diagnosed with a cancer listed in (b) of this subsection at the time of the qualifying medical examination under this subsection (3)(a)(ii)(B)(II) and otherwise meets the requirements of this section, the presumption established in subsection (1)(a)(iii) of this section applies"

Beginning on page 2, at the beginning of line 30, strike all material through "applies." on page 3, line 2

On page 4, after line 5, insert the following:

"(8)(a) By July 1, 2018, the department of labor and industries must convene a work group to discuss policy and procedural options for amending the first responder occupations and occupational diseases included in RCW 51.32.185. The work group must consider the following list of topics including, but not limited to:

(i) The process for adding new first responder occupations and occupational diseases to RCW 51.32.185; and

(ii) The establishment of procedures to gather, evaluate, and accept or reject data necessary to inform stakeholder recommendations and policymaker decisions for amending the first responder occupations and occupational diseases covered in RCW 51.32.185.

(b) The work group must include representatives of state fund employers, self-insured employers, and worker advocates along with public health professionals in the disciplines of occupational medicine, epidemiology, and industrial hygiene.

(c) By December 1, 2019, the work group must provide a report

to the appropriate committees of the legislature. The report must include a description of the work group deliberations and any consensus recommendations for legislation or rule making.

(d) The work group expires upon completion of the report to the legislature."

Senator Ranker spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 652 by Senator Ranker on page 1, line 16 to Senate Bill No. 6213.

The motion by Senator Ranker carried and floor amendment no. 652 was adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 655 by Senator Braun be adopted:

On page 4, after line 5, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 51.32 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the advisory committee on first responder occupational disease presumption, subsequently referred to in this section as the advisory committee, is established. The purposes of the advisory committee are to review scientific evidence and to make recommendations to the legislature on additional diseases or disorders for inclusion under RCW 51.32.185.

(2) The director shall appoint nine voting members to the advisory committee and appoint the research director of the department's safety and health assessment and research for prevention program as the advisory committee chair. The advisory committee chair is not a voting member of the committee.

(a) The nine voting members of the advisory committee must be composed of:

(i) Two members representing occupations covered under RCW 51.32.185;

(ii) Two members representing employers with workers covered under RCW 51.32.185;

(iii) Two epidemiologists;

(iv) Two preventive medicine physicians; and

(v) One industrial hygienist.

(b) Advisory committee members are appointed for a term of four years and may be reappointed. Advisory committee members shall not be compensated for their work on the advisory committee. As a condition of appointment, voting members of the advisory committee described under (a)(iii) through (v) of this subsection and the advisory committee chair must have no past or current financial or personal conflicts of interest related to the advisory committee activities. Voting members of the advisory committee may not be current employees of the department.

(3) Any requests to review scientific evidence and to make recommendations to the legislature, on specific disorders or diseases, or specific occupations for inclusion under RCW 51.32.185, must be initiated by the chair or ranking member of the appropriate committee or committees of the legislature by notifying the director.

(4) The process of developing an advisory committee recommendation must include a thorough review of the scientific literature on the disease and disorder, relevant exposures, and strength of the association between the specific occupations and the disease or disorder proposed for inclusion in RCW 51.32.185. Consideration must be given to the relevance, quality, and quantity of the literature and data. The advisory committee may

consult nationally recognized experts or subject matter experts in developing their recommendations. The advisory committee must provide a recommendation to the legislature within one hundred eighty days of a request by the legislature.

(5) Each recommendation must include:

(a) A written description of the scientific evidence and supporting information relied upon to assess the causal relationship between the occupation and health condition proposed for inclusion under RCW 51.32.185; and

(b) Estimates of the number of Washington workers at risk, the prevalence of the disease or disorder, and the medical treatment and disability costs should, if available. Any recommendation must be made by a majority of advisory committee's voting members. Any member of the advisory committee may provide a written dissent as an appendix to the committee's recommendation.

(6) The department's safety and health assessment and research for prevention program must provide organizational and scientific support to the advisory committee. Scientific support must include, for consideration of the advisory committee, preliminary written reviews of the scientific literature on the disease and disorder, relevant exposures, and strength of the association between the specific occupations and the health condition or disorders proposed for inclusion in RCW 51.32.185."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "the presumption of occupational disease for purposes of workers' compensation by establishing a process to add medical conditions to the presumption; amending RCW 51.32.185; and adding a new section to chapter 51.32 RCW."

Senator Braun spoke in favor of adoption of the amendment.

Senator Ranker spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 655 by Senator Braun on page 4, after line 5 to Senate Bill No. 6213.

The motion by Senator Braun did not carry and floor amendment no. 655 was not adopted by voice vote.

MOTION

On motion of Senator Ranker, the rules were suspended, Engrossed Senate Bill No. 6213 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ranker 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. 6213.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6213 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Braun

Excused: Senators Baumgartner and Walsh

ENGROSSED SENATE BILL NO. 6213, having received the constitutional majority, 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 Senator Honeyford

Extending the expiration date of the department of ecology's authority to enter into voluntary regional agreements.

The measure was read the second time.

MOTION

On motion of Senator Honeyford, the rules were suspended, Senate Bill No. 6125 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford 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. 6125.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6125 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

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. 6404, by Senators Wellman, Mullet, Fain, Hunt and Kuderer

Concerning background checks for persons providing child care services.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, floor amendment no. 657 by Senator Padden on page 2, line 2 to Senate Bill No. 6404 was withdrawn.

On page 2, line 2, after "patrol" strike "and federal bureau of investigation" and insert "~~((and federal bureau of investigation))~~"

On page 2, line 10, after "pay for" insert "half of"

On page 2, line 11, after "check" strike "as follows: The" and insert "~~((as follows: The))~~, which includes the"

On page 2, line 15, after "registry." insert "State or federal"

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

funds must pay for the other half of the cost of this check."

On page 4, line 28, after "patrol" strike "and federal bureau of investigation" and insert "~~((and federal bureau of investigation))~~"

PERSONAL PRIVILEGE

Senator O'Ban: "I do think from now on we should be referring to Senator Padden as the Legendary Senator Padden."

REMARKS BY THE PRESIDENT

President Habib: "He is also entitled to the title Your Honor."

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 6404 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Zeiger 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. 6404.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6404 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6404, having received the constitutional majority, 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 RESOLUTION NO. 8211, by Senators Takko, Zeiger, Pedersen, Conway, McCoy, Hunt, Hobbs, Frockt, Fain, Bailey, Angel, Warnick, Carlyle, Van De Wege, Keiser, Chase and Kuderer

Amending the state Constitution to provide governmental continuity during emergency periods resulting from a catastrophic incident.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Joint Resolution No. 8211 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senators Takko and Miloscia spoke in favor of passage of the bill.

The President declared the question before the Senate to be the adoption of Senate Joint Resolution No. 8211.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 8211 and the resolution passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE JOINT RESOLUTION NO. 8211, having received the constitutional majority, was declared passed. There being no objection, the title of the resolution was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6011, by Senators Takko, Zeiger, Pedersen, Conway, McCoy, Hunt, Hobbs, Frockt, Fain, Bailey, Angel, Warnick, Carlyle, Van De Wege, Chase and Kuderer

Concerning governmental continuity during emergency periods.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6011 was substituted for Senate Bill No. 6011 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 6011 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko, Miloscia, Hasegawa and Honeyford 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. 6011.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6011 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SUBSTITUTE SENATE BILL NO. 6011, having received the constitutional majority, 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. 5328, by Senators Honeyford, Hobbs, Bailey, Becker, Miloscia, Angel, Brown, Sheldon, Rivers, Warnick and Rossi

Creating a community aviation revitalization board.

MOTION

On motion of Senator Honeyford, Substitute Senate Bill No. 5328 was substituted for Senate Bill No. 5328 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Honeyford moved that the following striking floor amendment no. 387 by Senator Honeyford be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 3. The legislature finds that providing additional funding mechanisms for public use airports that primarily support general aviation activities to implement revenue-generating initiatives is in the best interests of the state. The legislature further finds that a revolving loan program would benefit smaller airport development while providing a self-sustaining resource.

NEW SECTION. Sec. 4. (1) The community aviation revitalization board is created to exercise the powers granted under this chapter.

(2) The board must consist of the capital budget chair and ranking minority member of the capital budget committee of the house of representatives and the senate ways and means committee, and a representative from both the department of transportation's aviation division and the department of commerce. The board must also consist of the following members appointed by the secretary of transportation: One port district official, one county official, one city official, one representative of airport managers, and one representative of an aviation pilots association or organization. The appointive members must initially be appointed to terms as follows: Two members for two-year terms, and three members for three-year terms which must include the chair. Thereafter, each succeeding term must be for three years. The chair of the board must be selected by the secretary of transportation. The members of the board must elect one of their members to serve as vice chair. The director of commerce and the secretary of transportation must serve as nonvoting advisory members of the board.

(3) Management services, including fiscal and contract services, must be provided by the department of transportation to assist the board in implementing this chapter.

(4) Legislative members of the board are reimbursed for travel expenses in accordance with RCW 44.04.120. 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.

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the secretary of transportation

must fill the vacancy for the unexpired term. Members of the board may be removed for malfeasance or misfeasance in office, upon specific written charges by the secretary of transportation, under chapter 34.05 RCW.

(6) A member appointed by the secretary of transportation may not be absent from more than fifty percent of the regularly scheduled meetings in any one calendar year. Any member who exceeds this absence limitation is deemed to have withdrawn from the office and may be replaced by the secretary of transportation.

(7) A majority of members currently appointed constitutes a quorum.

(8) The board must meet three times a year or as deemed necessary by the department of transportation.

(9) Staff support to the board must be provided by the department of transportation as needed.

NEW SECTION. Sec. 5. (1) Each member of the house of representatives who is appointed to the community aviation revitalization board under section 2 of this act may designate another member from the house of representatives to take his or her place on the board for meetings at which the member will be absent, as long as the designated member belongs to the same caucus. The designee has all of the same powers to vote and participate in board deliberations as the other board members.

(2) Each member of the senate who is appointed to the community aviation revitalization board under section 2 of this act may designate another member from the senate to take his or her place on the board for meetings at which the member will be absent, as long as the designated member belongs to the same caucus. The designee has all of the same powers to vote and participate in board deliberations as the other board members.

(3) Each agency head of an executive agency who is appointed to serve as a nonvoting advisory member of the board under section 2 of this act may designate an agency employee to take his or her place on the board for meetings at which the agency head will be absent. The designee has all of the same powers to participate in board deliberations as the other board members, but does not have voting powers.

NEW SECTION. Sec. 6. In addition to other applicable provisions of law pertaining to conflicts of interest of public officials, any community aviation revitalization board member, appointive or otherwise, may not participate in any decision on any board contract in which the board member has any interests, direct or indirect, with any firm, partnership, corporation, or association that would be the recipient of any aid under this chapter. If such participation occurs, the board must void the transaction and the involved member is subject to further sanctions as provided by law. The board must adopt a code of ethics for its members, which must be designed to protect the state and its citizens from any unethical conduct by the board.

NEW SECTION. Sec. 7. The community aviation revitalization board may:

(1) Adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) Adopt an official seal and alter the seal at its pleasure;

(3) Utilize the services of other governmental agencies;

(4) Accept from any federal agency loans or grants for the planning or financing of any project and enter into an agreement with the agency respecting the loans or grants;

(5) Conduct examinations and investigations and take testimony at public hearings of any matter material for its information that will assist in determinations related to the exercise of the board's lawful powers;

(6) Accept any gifts, grants, loans of funds, property, or

THIRTY SEVENTH DAY, FEBRUARY 13, 2018

2018 REGULAR SESSION

financial or other aid in any form from any other source on any terms and conditions that are not in conflict with this chapter;

(7) Enter into agreements or other transactions with and accept grants and the cooperation of any governmental agency in furtherance of this chapter;

(8) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter; and

(9) Perform all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

NEW SECTION. Sec. 8. (1) The community aviation revitalization board may make direct loans to public use airport sponsors for the purpose of improvements at public use airports that primarily support general aviation activities. The board may provide loans to privately owned airports for the purpose of airport improvements only if the state is receiving commensurate public benefit. The board must require guaranteed public access to an airport for the life of the loan plus ten years as a condition of all loans. For purposes of this subsection, "public use airports that primarily support general aviation activities" means all public use airports not listed as having more than fifty thousand annual commercial air service passenger enplanements as published by the federal aviation administration.

(2) An application for loan funds under this section must be made in the form and manner as the board may prescribe. When evaluating loan applications, the board must prioritize applications that provide conclusive justification that completion of the loan application project will create revenue-generating opportunities. The board is not limited to, but must also use, the following expected outcome conditions when evaluating loan applications:

(a) A specific private development or expansion is ready to occur and will occur only if the aviation facility improvement is made;

(b) The loan application project results in the creation of jobs or private sector capital investment as determined by the board;

(c) The loan application project improves opportunities for the successful maintenance, operation, or expansion of an airport or adjacent airport business park;

(d) The loan application project results in the creation or retention of long-term economic opportunities; and

(e) The loan application project results in leveraging additional federal funding for an airport.

(3)(a) If the board chooses to require a local match, the board must develop guidelines for local participation and allowable match and activities.

(b) An application must:

(i) Be supported by the port district, city, or county in which the project is located; and

(ii) Clearly identify the source of funds intended to repay the loan.

NEW SECTION. Sec. 9. The public use general aviation airport loan program, when authorized by the community aviation revitalization board, is subject to the following conditions:

(1) The total outstanding amount that the board may dispense at any time pursuant to this section must not exceed the moneys available from the public use general aviation airport loan revolving account.

(2) On contracts made for public use general aviation airport loans, the board must determine the interest rate that loans must bear. The interest rate must not exceed the amount needed to cover the administrative expenses of the board and the loan program. The board may provide reasonable terms and conditions for the repayment of loans, with the repayment of a loan to begin no later than three years after the award date of the loan. The loans

must not exceed twenty years in duration.

(3) The repayment of any loan made from the public use general aviation airport loan revolving account under the contracts for aviation loans must be paid into the public use general aviation airport loan revolving account.

NEW SECTION. Sec. 10. To enhance competition for loans and the quality of projects for which loans are sought, the community aviation revitalization board must take such reasonable measures as are necessary to familiarize government officials and members of the public with this chapter, particularly the board's authority to make loans.

Sec. 11. 2018 c 2 s 7028 (uncodified) is amended to read as follows:

The public use general aviation airport loan revolving account is created in the custody of the state treasurer. All receipts from moneys collected under this chapter must be deposited into the account. Expenditures from the account may be used only for the purposes described in this chapter and section 4002 ((of this act)), chapter 2, Laws of 2018. Only the community aviation revitalization board or the board's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. Sec. 12. The community aviation revitalization board and the department of transportation must keep proper records of accounts, which are subject to audit by the state auditor.

Sec. 13. RCW 43.79A.040 and 2017 3rd sp.s. c 5 s 89 are each amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the

commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family and medical leave insurance account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation revolving loan program account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pilotage account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 14. Sections 1 through 10 of this act constitute a new chapter in Title 47 RCW."

On page 1, line 2 of the title, after "board;" strike the remainder of the title and insert "amending RCW 43.79A.040; amending 2018 c 2 s 7028 (uncodified); and adding a new chapter to Title 47 RCW."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 387 by Senator Honeyford on page , line to Engrossed Substitute Senate Bill No. 5328.

The motion by Senator Honeyford carried and striking floor amendment no. 387 was adopted by voice vote.

MOTION

On motion of Senator Honeyford, the rules were suspended, Engrossed Substitute Senate Bill No. 5328 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford 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. 5328.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5328 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5328, having received the constitutional majority, 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. 6369, by Senators Warnick and Van De Wege

Concerning certificates of veterinary inspection for animals brought into the state.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6369 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 Senate Bill No. 6369.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6369 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

SENATE BILL NO. 6369, having received the constitutional majority, 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. 5513, by Senators Frockt, Hasegawa, Miloscia, Rolfes, Saldaña, Keiser, Wellman, Conway, Chase, Billig, Kuderer, Hunt, McCoy and Darneille

Increasing tax exemption transparency and accountability.

MOTION

On motion of Senator Frockt, Substitute Senate Bill No. 5513 was substituted for Senate Bill No. 5513 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Braun moved that the following floor amendment no. 658 by Senators Braun and Frockt be adopted:

On page 4, line 15, after "(4)" strike all material through line 17 and insert the following:

"The projected fiscal impact of discretionary tax preferences in the current biennium and subsequent biennium, classified by the category of the tax preference as provided in the tax preference listing created and maintained by the department of revenue under RCW 43.06.400, shall be included for informational purposes in the materials produced for the November state budget outlook."

Senators Braun and Frockt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 658 by Senators Braun and Frockt on page 4, line 15 to Engrossed Substitute Senate Bill No. 5513.

The motion by Senator Braun carried and floor amendment no. 658 was adopted by voice vote.

MOTION

Senator Frockt moved that the following floor amendment no. 611 by Senators Braun and Frockt be adopted:

Beginning on page 10, line 17, strike all of section 5

On page 1, beginning on line 2 of the title, after "82.33.060," strike all material through "43.88.055" on line 2 and insert "and 43.88.030"

Senator Frockt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 611 by Senators Braun and Frockt on page 10, line 17 to Engrossed Substitute Senate Bill No. 5513.

The motion by Senator Frockt carried and floor amendment no. 611 was adopted by voice vote.

MOTION

On motion of Senator Frockt, the rules were suspended, Engrossed Substitute Senate Bill No. 5513 was advanced to third reading, the second reading considered the third and the bill was

placed on final passage.

Senators Frockt 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. 5513.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5513 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Baumgartner and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5513, having received the constitutional majority, 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 Kuderer and Palumbo

Concerning the discovery of privileged health care information and communications in claims for noneconomic damages under certain civil rights laws.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, 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 Kuderer and Pedersen spoke in favor of passage of the bill.

Senator O'Ban spoke against 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, 42; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Dhingra, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, Padden, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Becker, Ericksen, Honeyford, O'Ban and Short

Excused: Senators Baumgartner and Walsh

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.

MOTION

At 8:18 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 8:20 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

February 12, 2018

MR. PRESIDENT:

The House has passed:

- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1316,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1851,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1889,
- ENGROSSED HOUSE BILL NO. 2175,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2285,
- ENGROSSED HOUSE BILL NO. 2309,

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2356,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2381,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2396,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2406,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2420,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2541,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2595,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2658,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2704,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2779,
- ENGROSSED HOUSE BILL NO. 2861,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2914,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

At 8:21 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Wednesday, February 14, 2018.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

1031	Messages	11
Introduction & 1st Reading.....	1	
1047-S	Introduction & 1st Reading.....	2
Introduction & 1st Reading.....	1	
1155-S	Messages	42
Introduction & 1st Reading.....	1	
1233-S	Messages	11
Introduction & 1st Reading.....	1	
1316-S	Messages	11
Messages	42	
1377-S2	Messages	42
Introduction & 1st Reading.....	1	
1470	Messages	11
Messages	11	
1513-S2	Introduction & 1st Reading.....	2
Messages	11	
1539-S	Introduction & 1st Reading.....	2
Messages	11	
1558-S	Introduction & 1st Reading.....	3
Messages	11	
1600-S2	Messages	11
Introduction & 1st Reading.....	1	
1622-S2	Messages	42
Introduction & 1st Reading.....	1	
1827-S4	Introduction & 1st Reading.....	3
Introduction & 1st Reading.....	2	
1849	Messages	11
Introduction & 1st Reading.....	2	
1851-S2	Messages	11
Messages	42	
1889-S2	Messages	42
Messages	42	
1896-S2	Introduction & 1st Reading.....	2
Introduction & 1st Reading.....	2	
2001-S	Messages	42
Messages	11	
2009-S2	Messages	11
Introduction & 1st Reading.....	2	
2175	Introduction & 1st Reading.....	3
Messages	42	
2177-S2	Messages	11
Introduction & 1st Reading.....	2	
2229-S	Messages	11
Messages	11	
2259	Introduction & 1st Reading.....	2
Introduction & 1st Reading.....	2	
2264-S	Introduction & 1st Reading.....	3

2539	Messages.....	11	2802-S	Introduction & 1st Reading.....	4
2541-S	Messages.....	42	2821	Introduction & 1st Reading.....	4
2563-S	Introduction & 1st Reading.....	3	2832	Introduction & 1st Reading.....	4
2565-S	Introduction & 1st Reading.....	3	2833-S	Messages.....	11
2570	Introduction & 1st Reading.....	3	2839-S	Introduction & 1st Reading.....	4
2578-S2	Introduction & 1st Reading.....	3	2855-S	Messages.....	11
2595-S2	Messages.....	42	2861	Messages.....	42
2612-S	Introduction & 1st Reading.....	3	2894	Messages.....	11
2627-S	Messages.....	11	2914-S2	Messages.....	42
2651-S	Messages.....	11	2962	Messages.....	11
2658-S	Messages.....	42	4011	Messages.....	11
2669	Messages.....	11	5328	Second Reading.....	38
2682	Messages.....	11	5328-S	Second Reading.....	38
2684-S	Introduction & 1st Reading.....	3	5397	Third Reading Final Passage.....	40
2686-S	Introduction & 1st Reading.....	3	5397-S	Second Reading.....	30
2694	Introduction & 1st Reading.....	4	5513	Second Reading.....	41
2704-S	Messages.....	42	5513-S	Second Reading.....	41
2712-S	Messages.....	11	5513-S	Third Reading Final Passage.....	41
2733	Messages.....	11	5525	Other Action.....	11
2735	Introduction & 1st Reading.....	4	5525	Third Reading.....	11
2748-S	Introduction & 1st Reading.....	4	5525	Third Reading Final Passage.....	11
2751	Messages.....	11	5643	Other Action.....	33
2779-S2	Messages.....	42	5643	Second Reading.....	33
2785	Messages.....	11	5643	Third Reading Final Passage.....	33
			5928-S	Second Reading.....	25, 26
				Third Reading Final Passage.....	26

6011	Third Reading Final Passage	13
Second Reading		37
6011-S	Second Reading	26
Second Reading		37
Third Reading Final Passage		37
6027	Second Reading	28
Second Reading		41
Third Reading Final Passage		41
6055	Second Reading	29
Second Reading		12
6055-S	Second Reading	26
Second Reading		12
Third Reading Final Passage		12
6058	Second Reading	28
Second Reading		14
Third Reading Final Passage		14
6087	Second Reading	28
Second Reading		5
Third Reading Final Passage		8
6088	Second Reading	27
Second Reading		18
Third Reading Final Passage		18
6113	Second Reading	34
Second Reading		33
Third Reading Final Passage		33
6125	Second Reading	32
Second Reading		36
Third Reading Final Passage		36
6135	Second Reading	10
Second Reading		9
6135-S	Second Reading	32
Other Action.....		9
Second Reading		9
Third Reading Final Passage		10
6137	Second Reading	32
Second Reading		14
6137-S	Second Reading	29
Second Reading		14
Third Reading Final Passage		18
6141	Second Reading	33
Second Reading		29
6141-S	Second Reading	34
Second Reading		29
Third Reading Final Passage		29
6152	Second Reading	12
Second Reading		13
6152-S	Second Reading	12
Second Reading		13
Third Reading Final Passage		12
6159	Second Reading	26
Second Reading		26
Third Reading Final Passage		26
6161	Second Reading	28
Second Reading		28
6161-S	Second Reading	28, 29
Second Reading		28, 29
Third Reading Final Passage		29
6168	Second Reading	26
Second Reading		26
Third Reading Final Passage		27
6197	Second Reading	28
Second Reading		28
Third Reading Final Passage		28
6201	Second Reading	27
Second Reading		27
Third Reading Final Passage		27
6213	Second Reading	35
Second Reading		35
Third Reading Final Passage		36
6226	Second Reading	34
Second Reading		34
6226-S	Second Reading	34
Second Reading		34
Third Reading Final Passage		34
6264	Second Reading	10
Second Reading		10
Third Reading Final Passage		10
6277	Second Reading	32
Second Reading		32
6277-S	Other Action.....	32
Other Action.....		32
Second Reading		32
Third Reading Final Passage		32
6278	Second Reading	29
Second Reading		29
Third Reading Final Passage		29
6319	Second Reading	27
Second Reading		27
Third Reading Final Passage		27
6351	Second Reading	33
Second Reading		33
Third Reading Final Passage		34
6363	Second Reading	12
Second Reading		12
Third Reading Final Passage		12
6369		

Second Reading	40	Other Action.....	21
Third Reading Final Passage	40	Second Reading	21, 22, 24
6379		Third Reading Final Passage	25
Second Reading	30	6610	
Third Reading Final Passage	30	Introduction & 1st Reading.....	1
6388		6611	
Second Reading	13	Introduction & 1st Reading.....	1
6388-S		6612	
Second Reading	13	Introduction & 1st Reading.....	1
Third Reading Final Passage	14	6613	
6404		Introduction & 1st Reading.....	1
Other Action.....	36	8211	
Second Reading	36	Second Reading	37
Third Reading Final Passage	37	Third Reading Final Passage	37
6438		8683	
Second Reading	13	Adopted.....	5
6438-S		Introduced	4
Second Reading	13	8702	
Third Reading Final Passage	13	Adopted.....	20
6453		Introduced	20
Second Reading	8	9025 Carol A. Lien	
6453-S2		Confirmed	19
Second Reading	9	9092 Steven Moss	
Third Reading Final Passage	9	Confirmed	32
6462		9191 Jennifer R. Albright	
Second Reading	14	Confirmed	19
Third Reading Final Passage	14	9197 Stanley J. Rumbaugh	
6474		Confirmed	19
Second Reading	27	9294 Lowel Krueger	
6474-S		Confirmed	32
Second Reading	27	CHAPLAIN OF THE DAY	
Third Reading Final Passage	28	Shellenberger, Mr. Tim, Pastor, Centralia	
6486		Bible Baptist Church.....	1
Second Reading	8	FLAG BEARERS	
6486-S		Lustig, Mr. John.....	1
Second Reading	8	Tibbs, Mr. Marshall	1
Third Reading Final Passage	8	GUESTS	
6493		Gamble, Mr. Patrick John, Governor	
Second Reading	28	Spellman's grandson	20
6493-S		Gamble, Mr. Tim, Governor Spellman's son-	
Second Reading	28	in-law	20
Third Reading Final Passage	28	Gamble, Mrs. Teresa Spellman, Governor	
6582		Spellman's daughter	20
Second Reading	11, 12	Leadership Institute of South Puget Sound.	18
Third Reading Final Passage	12	Magesh, Miss Daksha (Pledge of Allegiance)	
6587		1
Second Reading	20	Miner, Mr. David, Governor Spellman's	
6587-S		grandson	20

Spellman, Miss Lela Renaud, Governor
 Spellman's granddaughter 20
 Spellman, Mr. David, Governor Spellman's
 son 20
 Spellman, Mr. Jeffery T., Governor
 Spellman's son 20
 Spellman, Mr. John Dolan, Governor
 Spellman's grandson 20
 Spellman, Mr. S. Bart, Governor Spellman's
 son 20
 Spellman, Mrs. Lisa M., Governor Spellman's

daughter-in-law 20
 Spellman, Ms. Margo, Governor Spellman's
 daughter 20
 Wedgewood Elementary School 13
 PRESIDENT OF THE SENATE
 Remarks by the President 5, 37
 WASHINGTON STATE SENATE
 Personal Privilege, Senator Fain 18
 Personal Privilege, Senator Honeyford 5
 Personal Privilege, Senator O'Ban 37
 Remarks by Senator Liias 5

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