

EIGHTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, April 9, 2025

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Brayden Riccelli and Mr. Asher Ibarra-Rivera, presented the Colors.

Page Miss Harley Ibarra-Rivera led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Danny Schulz of Sun City Church, Spokane Valley. Pastor Schulz was a guest of Senator Christian.

MOTIONS

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

On motion of Senator Riccelli, 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.

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

April 8, 2025

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

Ladies and Gentlemen:

I have the honor to advise you that on April 08, 2025, Governor Ferguson approved the following Senate Bills entitled:

Senate Bill No. 5141

Relating to requiring that experience-rated group disability income insurers include all applicable rating factors and credibility formulas in rate manual filings with the insurance commissioner.

Senate Bill No. 5209

Relating to explicitly listing the department of labor and industries in the definition of limited authority Washington law enforcement agency while not granting new enforcement authority.

Substitute Senate Bill No. 5316

Relating to modifying provisions of the revised uniform unclaimed property act by clarifying the abandonment period and reporting procedures for prearrangement funeral service contracts trusts, modifying holder reporting requirements, modifying owner notification requirements, and making other changes not estimated to impact revenue.

Sincerely,

/s/

Sahar Fathi, Executive Director of Legislative Affairs

MOTION

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

INTRODUCTION AND FIRST READING

SJM 8012 by Senators Saldaña, and Orwall
Requesting an investigation into the killing of Aysenur Ezgi Eygi.

Referred to Committee on Law & Justice.

SJR 8205 by Senator MacEwen
Concerning property tax relief.

Referred to Committee on Ways & Means.

MOTIONS

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

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

On motion of Senator Riccelli, 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.

Senator Chapman moved adoption of the following resolution:

SENATE RESOLUTION
8633

By Senators Chapman, Krishnadasan, Saldaña, Shewmake, Valdez, Warnick, J. Wilson, King, MacEwen, Muzzall, Short, Torres, Schoesler, Boehnke, Harris, Lovelett, and Wagoner

WHEREAS, Washington's forests are an essential part of the state's history, culture, economy, and environment, covering 22 million acres of the state; and

WHEREAS, Forests purify the air we breathe and provide clean water to our communities by absorbing and storing carbon dioxide, and they provide countless other benefits, including fish and wildlife habitat, recreation, scenic beauty, local renewable energy, and wood, an energy efficient green building material; and

WHEREAS, Forests products play a critical role in combating climate change due to the natural process of photosynthesis where trees absorb carbon dioxide, a greenhouse gas, release oxygen into the atmosphere and capture carbon which is stored in wood products for the life of the product; and

WHEREAS, From 2001 to 2021, state and private forest landowners in Washington removed nearly 9,200 fish passage

barriers and opened up nearly 6,500 miles of historic fish habitat as part of their commitment to implementing the Forest and Fish Law; and

WHEREAS, The production of wood, paper, and energy products from the forest supports more than 42,000 direct jobs and another 60,000 forest sector related jobs, paying wages of nearly \$6 billion each year; which provide family-wage employment opportunities, sustain rural economies, and strengthen local communities; and

WHEREAS, Products harvested from sustainably managed forests are renewable, recyclable, biodegradable, and sustainable, an essential part of our green economy that continues to grow and innovate through a skilled workforce dedicated to responsible forestry practices and advanced manufacturing; and

WHEREAS, In the face of increased threats to our forests including diseases, insects, droughts, and wildfires, we need to increase the resilience and health of our state's forests and preserve their key role in mitigating climate change; and

WHEREAS, Washington's integrated forest products sector and the workers, mills, logging contractors, and forestry professionals are essential to efforts to restore and maintain the health of forests, reduce the risk of catastrophic wildfires, and make forests more resilient to drought and climate change; and

WHEREAS, Washington's pulp and paper mills are state and federally recognized essential businesses that keep vital paper products available in the Pacific Northwest across the United States and globally. Washington's mills provide approximately 7,500 predominantly union-backed, family-wage jobs in some of Washington's more rural, economically distressed communities providing a 3:1 job multiplier. Mills are often the single largest employers and taxpayers in these counties, providing critical tax funding for police, fire, and emergency medical services, as well as funding for local school districts; and

WHEREAS, Washington Forest Products Day at the legislature takes place on April 9, 2025, when legislators will visit with individuals from across the state representing the diverse nature of Washington's forest products industry, including workers who help drive the economy forward while advocating for responsible policies that protect both jobs and the environment;

NOW, THEREFORE, BE IT RESOLVED, That the Senate acknowledge and honor the workforce and industry professionals whose work within this important industry has contributed much to the strength and vitality of our economy, our environment, the character of our communities, and the general well-being of our citizens.

Senators Chapman, Wilson, J., Short, and Goehner spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8633.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Aaron Boedeker, Vice President, Association of Western Pulp and Paper Workers; Ann Stinson, President, Washington Farm Forestry Association; and Mr. Brian Saylor, Vice President & General Manager, Green Diamond Resource Company who were seated in the gallery.

MOTION

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION 8649

By Senator Hasegawa and Saldaña

WHEREAS, Paul Leroy Robeson was born on April 9, 1898; and

WHEREAS, Robeson was born the son of a runaway slave and is now considered by many as the quintessential 20th Century Renaissance Person; and

WHEREAS, As a scholar, Paul Robeson went to Rutgers University on an academic scholarship where he was the only African American student; and

WHEREAS, At Rutgers he was a member of the Intercollegiate Debating Association, was inducted as a member of Phi Beta Kappa Society, and was nominated as Class Valedictorian in 1919, and he went on to earn a law degree at Columbia Law School; and

WHEREAS, As an athlete, Robeson earned 15 varsity letters at Rutgers in football, basketball, baseball, and track, was a two-time All-American in football, was inducted into the College Football Hall of Fame, and went on to play football in the NFL in order to pay his tuition, while also attending law school; and

WHEREAS, As an artist for nearly four decades, Robeson achieved worldwide acclaim as a vocalist and actor on stage and screen; and

WHEREAS, He performed Shakespeare's Othello at Stratford-On-Avon and was summoned for a Royal Command Performance at Buckingham Palace, starred in film performances in Show Boat and other productions, and released recordings of some 276 songs; and

WHEREAS, As a global citizen, Robeson was a brilliant scholar of languages and world cultures, fluent in over 20 languages, including Russian, French, Spanish, Chinese, German, Yiddish, Arabic, and a number of African languages, and was able to perform in over 50 languages; and

WHEREAS, Robeson connected the struggle for social justice with people around the world who also were fighting for political rights, cultural recognition, and economic justice; and

WHEREAS, As an activist, Robeson advocated for Western decolonization, raised money for Welsh miners, and lobbied the federal government to integrate Major League Baseball and pass anti-lynching legislation; and

WHEREAS, He wrote a thesis titled, "The Fourteenth Amendment, the Sleeping Giant of the American Constitution" and called for its use "to ensure equality before the law (so) the American people shall develop a higher sense of constitutional morality"; and

WHEREAS, As a civil rights and social justice activist, Robeson was a towering figure in the African American struggle for human dignity and democratic rights; and

WHEREAS, He fearlessly supported labor and social movements, fighting for freedom, equality, and human rights, both domestically and internationally; and

WHEREAS, Robeson cofounded, with W. E. B. Du Bois, a monthly newspaper called Freedom, which was critical of U.S. policies and resulted in persecution by the McCarthy Commission; and

WHEREAS, Because of his activism, Robeson was unfairly targeted and blackballed by, and defiantly opposed, McCarthyism; and

WHEREAS, He told McCarthy's House Un-American Activities Committee, "I am not being tried for whether I am a Communist; I am being tried for fighting for the rights of my people, who are still second-class citizens in this United States of America. You are the non-patriots, and you are the un-Americans,

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and you ought to be ashamed of yourselves." He further said he fought for the freedom of African Americans and for "millions of white workers caught in the same serfdom as their black brothers and sisters" and "brothers and sisters from Mexico, the Philippines, from the lands of Asia, from the West Indies, from Latin America"; and

WHEREAS, In a symbolic act of defiance against the travel ban imposed by the U.S. Government in May 1952, labor unions in the United States and Canada organized a concert at the International Peace Arch on the border between Washington state and British Columbia attended by 40,000 people where Robeson returned to perform a second concert at the Peace Arch in 1953, and did two more concerts over the next two years; and

WHEREAS, Coretta Scott King said that Paul Robeson had been "buried alive" for espousing civil rights and human dignity decades before her husband, the late Reverend Dr. Martin Luther King Jr.;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the life of Paul Leroy Robeson, encourage us all to reflect on the life and times of this great American and patriot, and rededicate ourselves to his vision of our global collective humanity and his mission to protect our freedoms and liberty and to live as a global society in peace and prosperity for all.

Senators Hasegawa and Conway spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8649.

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

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Saldaña moved that Cami Feek, Senate Gubernatorial Appointment No. 9208, be confirmed as a Director of the Employment Security Department - Agency Head.

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

APPOINTMENT OF CAMI FEEK

The President declared the question before the Senate to be the confirmation of Cami Feek, Senate Gubernatorial Appointment No. 9208, as a Director of the Employment Security Department - Agency Head.

The Secretary called the roll on the confirmation of Cami Feek, Senate Gubernatorial Appointment No. 9208, as a Director of the Employment Security Department - Agency Head and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler,

Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Cami Feek, Senate Gubernatorial Appointment No. 9208, having received the constitutional majority was declared confirmed as a Director of the Employment Security Department - Agency Head.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Michael MacKillop, Senate Gubernatorial Appointment No. 9217, be confirmed as a Director of the Department of Services for the Blind - Agency Head.

Senator Wilson, C. spoke in favor of the motion.

APPOINTMENT OF MICHAEL MACKILLOP

The President declared the question before the Senate to be the confirmation of Michael MacKillop, Senate Gubernatorial Appointment No. 9217, as a Director of the Department of Services for the Blind - Agency Head.

The Secretary called the roll on the confirmation of Michael MacKillop, Senate Gubernatorial Appointment No. 9217, as a Director of the Department of Services for the Blind - Agency Head and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Michael MacKillop, Senate Gubernatorial Appointment No. 9217, having received the constitutional majority was declared confirmed as a Director of the Department of Services for the Blind - Agency Head.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Conway moved that Joel Sacks, Senate Gubernatorial Appointment No. 9218, be confirmed as a Director of the Department of Labor and Industries - Agency Head.

Senator Conway spoke in favor of the motion.

APPOINTMENT OF JOEL SACKS

The President declared the question before the Senate to be the confirmation of Joel Sacks, Senate Gubernatorial Appointment No. 9218, as a Director of the Department of Labor and Industries - Agency Head.

The Secretary called the roll on the confirmation of Joel Sacks, Senate Gubernatorial Appointment No. 9218, as a Director of the Department of Labor and Industries - Agency Head and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Joel Sacks, Senate Gubernatorial Appointment No. 9218, having received the constitutional majority was declared confirmed as a Director of the Department of Labor and Industries - Agency Head.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Braun moved that Steven Malloch, Senate Gubernatorial Appointment No. 9064, be confirmed as a member of the Chehalis Board.

Senator Braun spoke in favor of the motion.

APPOINTMENT OF STEVEN MALLOCH

The President declared the question before the Senate to be the confirmation of Steven Malloch, Senate Gubernatorial Appointment No. 9064, as a member of the Chehalis Board.

The Secretary called the roll on the confirmation of Steven Malloch, Senate Gubernatorial Appointment No. 9064, as a member of the Chehalis Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Steven Malloch, Senate Gubernatorial Appointment No. 9064, having received the constitutional majority was declared confirmed as a member of the Chehalis Board.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus and reminded the body that it was Beef Day.

MOTION

At 10:45 a.m., on motion of Senator Riccelli, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 1:30 p.m. by President Heck.

MOTION

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

SECOND READING

HOUSE BILL NO. 1355, by Representatives Berg, Ryu, Lekanoff, Peterson, Cortes, Stearns, Ortiz-Self, Fosse, Pollet, Wylie, Hill, and Ormsby

Modifying retail taxes compacts between the state of Washington and federally recognized tribes located in Washington state by increasing the revenue-sharing percentages when a compacting tribe has completed a qualified capital investment.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, House Bill No. 1355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Gildon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1355.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1355 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 1; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Christian, Dozier, MacEwen, Schoesler, Short, Warnick and Wilson, J.

Absent: Senator McCune

HOUSE BILL NO. 1355, having received the 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 Leaders of the Tulalip Tribe's Board of Directors, including Chair Teri Gobin, Vice Chair Misty Napeahi, and Board Member Glen Gobin who were seated in the gallery.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1543, by House Committee on Environment & Energy (originally sponsored by Doglio, Ramel, Berry, Ryu, Reed, Duerr, Parshley, and Ormsby)

Increasing compliance pathways for the clean buildings performance standard.

The measure was read the second time.

MOTION

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Senator Shewmake moved that the following committee striking amendment by the Committee on Environment, Energy & Technology be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.27A.140 and 2019 c 285 s 9 are each reenacted and amended to read as follows:

The definitions in this section apply to RCW 19.27A.130 through 19.27A.190 and 19.27A.020 unless the context clearly requires otherwise.

(1) "Benchmark" means the energy used by a facility as recorded monthly for at least one year and the facility characteristics information inputs required for a portfolio manager.

(2) "Building owner" has the same meaning as defined in RCW 19.27A.200.

(3) "Conditioned space" means conditioned space, as defined in the Washington state energy code.

(4) "Consumer-owned utility" includes a municipal electric utility formed under Title 35 RCW, a public utility district formed under Title 54 RCW, an irrigation district formed under chapter 87.03 RCW, a cooperative formed under chapter 23.86 RCW, a mutual corporation or association formed under chapter 24.06 RCW, a port district formed under Title 53 RCW, or a water-sewer district formed under Title 57 RCW, that is engaged in the business of distributing electricity to one or more retail electric customers in the state.

(5) "Cost-effectiveness" means that a project or resource is forecast:

(a) To be reliable and available within the time it is needed; and

(b) To meet or reduce the power demand of the intended consumers at an estimated incremental system cost no greater than that of the least-cost similarly reliable and available alternative project or resource, or any combination thereof.

(6) "Council" means the state building code council.

(7) "Covered (~~commercial~~) building" has the same meaning as defined in RCW 19.27A.200.

(8) "Embodied energy" means the total amount of fossil fuel energy consumed to extract raw materials and to manufacture, assemble, transport, and install the materials in a building and the life-cycle cost benefits including the recyclability and energy efficiencies with respect to building materials, taking into account the total sum of current values for the costs of investment, capital, installation, operating, maintenance, and replacement as estimated for the lifetime of the product or project.

(9) "Energy consumption data" means the monthly amount of energy consumed by a customer as recorded by the applicable energy meter for the most recent twelve-month period.

(10) "Energy service company" has the same meaning as in RCW 43.19.670.

(11) "Enterprise services" means the department of enterprise services.

(12) "Greenhouse gas" and "greenhouse gases" includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(13) "Investment grade energy audit" means an intensive engineering analysis of energy efficiency and management measures for the facility, net energy savings, and a cost-effectiveness determination.

(14) "Investor-owned utility" means a corporation owned by investors that meets the definition of "corporation" as defined in RCW 80.04.010 and is engaged in distributing either electricity or natural gas, or both, to more than one retail electric customer in the state.

(15) "Major facility" means any publicly owned or leased building, or a group of such buildings at a single site, having ten thousand square feet or more of conditioned floor space.

(16) "National energy performance rating" means the score provided by the energy star program, to indicate the energy efficiency performance of the building compared to similar buildings in that climate as defined in the United States environmental protection agency "ENERGY STAR® Performance Ratings Technical Methodology."

(17) "Net zero energy use" means a building with net energy consumption of zero over a typical year.

(18) "Portfolio manager" means the United States environmental protection agency's energy star portfolio manager or an equivalent tool adopted by the department of enterprise services.

(19) "Preliminary energy audit" means a quick evaluation by an energy service company of the energy savings potential of a building.

(20) "Qualifying public agency" includes all state agencies, colleges, and universities.

(21) "Qualifying utility" means a consumer-owned or investor-owned gas or electric utility that serves more than twenty-five thousand customers in the state of Washington.

(22) "Reporting public facility" means any of the following:

(a) A building or structure, or a group of buildings or structures at a single site, owned by a qualifying public agency, that exceed ten thousand square feet of conditioned space;

(b) Buildings, structures, or spaces leased by a qualifying public agency that exceeds ten thousand square feet of conditioned space, where the qualifying public agency purchases energy directly from the investor-owned or consumer-owned utility;

(c) A wastewater treatment facility owned by a qualifying public agency; or

(d) Other facilities selected by the qualifying public agency.

(23) "State portfolio manager master account" means a portfolio manager account established to provide a single shared portfolio that includes reports for all the reporting public facilities.

Sec. 2. RCW 19.27A.170 and 2019 c 285 s 10 are each amended to read as follows:

(1) On and after January 1, 2010, qualifying utilities shall maintain records of the energy consumption data of all nonresidential and qualifying public agency buildings to which they provide service. This data must be maintained for at least the most recent twelve months in a format compatible for uploading to the United States environmental protection agency's energy star portfolio manager.

(2) On and after January 1, 2010, upon the written authorization or secure electronic authorization of a nonresidential building owner or operator, a qualifying utility shall upload the energy consumption data for the accounts specified by the owner or operator for a building to the United States environmental protection agency's energy star portfolio manager in a form that does not disclose personally identifying information.

(3) In carrying out the requirements of this section, a qualifying utility shall use any method for providing the specified data in order to maximize efficiency and minimize overall program cost. Qualifying utilities are encouraged to consult with the United States environmental protection agency and their customers in developing reasonable reporting options.

(4) Disclosure of nonpublic nonresidential benchmarking data and ratings required under subsection (5) of this section will be phased in as follows:

(a) By January 1, 2011, for buildings greater than fifty thousand

square feet; and

(b) By January 1, 2012, for buildings greater than ten thousand square feet.

(5) Based on the size guidelines in subsection (4) of this section, a building owner or operator, or their agent, of a nonresidential building shall disclose the United States environmental protection agency's energy star portfolio manager benchmarking data and ratings to a prospective buyer, lessee, or lender for the most recent continuously occupied twelve-month period. A building owner or operator, or their agent, who delivers United States environmental protection agency's energy star portfolio manager benchmarking data and ratings to a prospective buyer, lessee, or lender is not required to provide additional information regarding energy consumption, and the information is deemed to be adequate to inform the prospective buyer, lessee, or lender regarding the United States environmental protection agency's energy star portfolio manager benchmarking data and ratings for the most recent twelve-month period for the building that is being sold, leased, financed, or refinanced.

(6) Notwithstanding subsections (4) and (5) of this section, nothing in this section increases or decreases the duties, if any, of a building owner, operator, or their agent under this chapter or alters the duty of a seller, agent, or broker to disclose the existence of a material fact affecting the real property.

(7) An electric or gas utility that is not a qualifying utility must either offer the upload service specified in subsection (2) of this section or provide customers who are building owners of covered (~~commercial~~) buildings with consumption data in an electronic document formatted for direct upload to the United States environmental protection agency's energy star portfolio manager. Within sixty days of receiving a written or electronic request and authorization of a building owner, the utility must provide the building owner with monthly energy consumption data as required to benchmark the specified building.

(8) For any covered (~~commercial~~) building with (~~three or more~~) tenants, an electric or gas utility must, upon request of the building owner, provide the building owner with aggregated monthly energy consumption data without requiring prior consent from tenants.

(9) Each electric or gas utility must ensure that all data provided in compliance with this section does not contain personally identifiable information or customer-specific billing information about tenants of a covered (~~commercial~~) building.

Sec. 3. RCW 19.27A.200 and 2022 c 177 s 2 are each reenacted and amended to read as follows:

The definitions in this section apply throughout RCW 19.27A.210, 19.27A.220, 19.27A.230, 19.27A.240, and 19.27A.250(~~, and 19.27A.220~~) unless the context clearly requires otherwise.

(1) "Agricultural structure" means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products, and that is not a place used by the public or a place of human habitation or employment where agricultural products are processed, treated, or packaged.

(2) "Baseline energy use intensity" means a building's energy use intensity that is representative of energy use in a normal weather year.

(3)(a) "Building owner" means an individual or entity possessing title to a building.

(b) In the event of a land lease, "building owner" means the entity possessing title to the building on leased land.

(4) "Building tenant" means a person or entity occupying or holding possession of a building or premises pursuant to a rental agreement.

(5) "Conditional compliance" means a temporary compliance method used by covered building owners that demonstrate the

owner has implemented energy use reduction strategies required by the standard, but has not demonstrated full compliance with the energy use intensity target or alternative metric.

(6) "Consumer-owned utility" has the same meaning as defined in RCW 19.27A.140.

(7) "Covered building" includes a tier 1 covered building and a tier 2 covered building.

(8) "Department" means the department of commerce.

(9) "Director" means the director of the department of commerce or the director's designee.

(10) "Electric utility" means a consumer-owned electric utility or an investor-owned electric utility.

(11) "Eligible building owner" means: (a) The owner of a covered building required to comply with the standard established in RCW 19.27A.210; or (b) all eligible tier 2 covered building owners.

(12) "Energy" includes: Electricity, including electricity delivered through the electric grid and electricity generated at the building premises using solar or wind energy resources; natural gas, including natural gas derived from renewable sources, synthetic sources, and fossil fuel sources; district steam; district hot water; district chilled water; propane; fuel oil; wood; coal; or other fuels used to meet the energy loads of a building.

(13) "Energy use intensity" means a measurement that normalizes a building's site energy use relative to its size. A building's energy use intensity is calculated by dividing the total net energy consumed in one year by the gross floor area of the building, excluding the parking garage. "Energy use intensity" is reported as a value of thousand British thermal units per square foot per year.

(14) "Energy use intensity target" means the target for net energy use intensity of a covered building.

(15) "Gas company" includes every corporation, company, association, joint stock association, partnership, and person, their lessees, trustees, or receiver appointed by any court whatsoever, and every city or town owning, controlling, operating, or managing any gas plant within this state.

(16) "Greenhouse gas" includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(17)(a) "Gross floor area" means the total number of square feet measured between the exterior surfaces of the enclosing fixed walls of a building, including all supporting functions such as offices, lobbies, restrooms, equipment storage areas, mechanical rooms, break rooms, and elevator shafts.

(b) "Gross floor area" does not include outside bays or docks.

(18) "Investor-owned utility" means a corporation owned by investors that meets the definition of "corporation" as defined in RCW 80.04.010 and is engaged in distributing either electricity or natural gas, or both, to more than one retail electric customer in the state.

(19) "Multifamily residential building" means a covered multifamily building containing sleeping units or more than five dwelling units where occupants are primarily permanent in nature.

(20) "Net energy use" means the sum of metered and bulk fuel energy entering the building, minus the sum of metered energy leaving the building or campus. Renewable energy produced on a campus that is not attached to a covered building may be included.

(21) "Qualifying utility" means a consumer-owned or investor-owned gas or electric utility that serves more than 25,000 customers in the state of Washington.

(22) "Savings-to-investment ratio" means the ratio of the total present value savings to the total present value costs of a bundle of an energy or water conservation measure estimated over the projected useful life of each measure. The numerator of the ratio

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is the present value of net savings in energy or water and nonfuel or nonwater operation and maintenance costs attributable to the proposed energy or water conservation measure. The denominator of the ratio is the present value of the net increase in investment and replacement costs less salvage value attributable to the proposed energy or water conservation measure.

(23) "Standard" means the state energy performance standard for covered buildings established under RCW 19.27A.210.

(24) "Thermal energy company" has the same meaning as defined in RCW 80.04.550.

(25) "Tier 1 covered building" means a building where the sum of nonresidential, hotel, motel, and dormitory floor areas exceed 50,000 gross square feet, excluding the parking garage area.

(26) "Tier 2 covered building" means a building where the sum of multifamily residential, nonresidential, hotel, motel, and dormitory floor areas exceeds 20,000 gross square feet, but does not exceed 50,000 gross square feet, excluding the parking garage area. Tier 2 covered buildings also include multifamily residential buildings where floor areas are equal to or exceed 50,000 gross square feet, excluding the parking garage area.

(27) "Weather normalized" means a method for modifying the measured building energy use in a specific weather year to energy use under normal weather conditions.

Sec. 4. RCW 19.27A.210 and 2023 c 291 s 3 are each amended to read as follows:

(1)(a) By November 1, 2020, the department must establish by rule a state energy performance standard for covered (~~commercial~~) buildings.

(b) In developing energy performance standards, the department shall seek to maximize reductions of greenhouse gas emissions from the building sector. The standard must include energy use intensity targets by building type and methods of conditional compliance that include an energy management plan, operations and maintenance program, energy efficiency audits, and investment in energy efficiency measures designed to meet the targets. The department shall use ANSI/ASHRAE/IES standard 100-2018 as an initial model for standard development. The department may adopt by rule subsequent versions of standard 100 as its model for standard development. The department must update the standard by July 1, 2029, and every five years thereafter. Prior to the adoption or update of the standard, the department must identify the sources of information it relied upon, including peer-reviewed science.

(2) In establishing the standard under subsection (1) of this section, the department:

(a) Must develop energy use intensity targets that are no greater than the average energy use intensity for the covered (~~commercial~~) building occupancy type with adjustments for unique energy using features. The department must also develop energy use intensity targets for additional property types eligible for incentives in RCW 19.27A.220. The department may also develop targets for alternative metrics related to energy use and greenhouse gas emissions if alternative metrics are included in standard 100-2018 or subsequent versions. The department must consider regional and local building energy utilization data, such as existing energy star benchmarking data, in establishing targets for the standard. Energy use intensity targets or alternative metrics must be developed for two or more climate zones and be representative of energy use in a normal weather year;

(b) May consider building occupancy classifications from ANSI/ASHRAE/IES standard 100(~~-2018~~) and the United States environmental protection agency's energy star portfolio manager when developing energy use intensity targets;

(c) May implement lower energy use intensity targets or alternative metrics for more recently built covered (~~commercial~~)

buildings based on the state energy code in place when the buildings were constructed;

(d)(i) Must adopt a conditional compliance method that ensures that covered (~~commercial~~) buildings that do not meet the specified energy use intensity targets or alternative metrics are taking action to achieve reduction in energy use, including investment criteria for conditional compliance that ensure that energy efficiency measures identified by energy audits are implemented to achieve a covered (~~commercial~~) building's energy use intensity target or alternative metric. The investment criteria must require that a building owner adopt an implementation plan to meet the energy intensity target or alternative metric or implement an optimized bundle of energy efficiency measures that provides maximum energy savings without resulting in a savings-to-investment ratio of less than 1.0, except as exempted in (d)(ii) of this subsection. The implementation plan must be based on an investment grade energy audit and a life-cycle cost analysis that accounts for the period during which a bundle of measures will provide savings. The building owner's cost for implementing energy efficiency measures must reflect net cost, excluding any costs covered by utility or government grants. The implementation plan may exclude measures that do not pay for themselves over the useful life of the measure and measures excluded under (d)(ii) of this subsection. The implementation plan may include phased implementation such that the building owner is not required to replace a system or equipment before the end of the system or equipment's useful life;

(ii) For those buildings or structures that are listed in the state or national register of historic places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a national register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the national or state registers of historic places either individually or as a contributing building to a historic district by the state historic preservation officer or the keeper of the national register of historic places, no individual energy efficiency requirement need be met that would compromise the historical integrity of a building or part of a building;

(e) Must provide an alternative compliance pathway for an owner of a state campus district energy system, in accordance with RCW 19.27A.260, and more broadly for the owner of any campus district energy system that is approved by the department to opt-in in accordance with RCW 19.27A.260(6);

(f) Must guarantee that the owner of a state campus district energy system is not required to implement more than one energy management plan and more than one operations and maintenance plan for the campus;

(g) Must guarantee that a state campus district energy system, as defined in RCW 19.27A.260, and all buildings connected to a state campus district energy system, are in compliance with any requirements for campus buildings to implement energy efficiency measures identified by an energy audit if:

(i) The energy audit demonstrates the energy savings from the state campus district energy system energy efficiency measures will be greater than the energy efficiency measures identified for the campus buildings; and

(ii) The state campus district energy system implements the energy efficiency measures; and

(h) May adopt additional compliance pathways for covered building owners to comply with the standard by meeting alternative metrics.

(3) Based on records obtained from each county assessor and other available information sources, the department must create a

database of covered (~~commercial~~) buildings and building owners required to comply with the standard established in accordance with this section.

(4) By July 1, 2021, the department must provide the owners of covered buildings with notification of compliance requirements.

(5) The department must develop a method for administering compliance reports from building owners.

(6) The department must provide a customer support program to building owners including, but not limited to, outreach and informational material, periodic training, phone and email support, and other technical assistance.

(7)(a) The building owner of a covered (~~commercial~~) building must report the building owner's compliance with the standard to the department in accordance with the schedule established under subsection (8) of this section and every five years thereafter. For each reporting date, the building owner must submit documentation to demonstrate that:

((~~+~~)) (i) The weather normalized energy use intensity of the covered (~~commercial~~) building measured in the previous calendar year is less than or equal to the energy use intensity target or equal to the alternative metric; (~~or~~

~~(b))~~ (ii) The covered (~~commercial~~) building has received conditional compliance from the department based on energy efficiency actions prescribed by the standard; or

((~~+~~)) (iii) The covered (~~commercial~~) building is exempt from the standard by demonstrating that the building meets one of the following criteria:

((~~+~~)) (A) The building did not have a certificate of occupancy or temporary certificate of occupancy for all 12 months of the calendar year prior to the building owner compliance schedule established under subsection (8) of this section;

((~~+~~)) (B) The building did not have an average physical occupancy of at least 50 percent throughout the calendar year prior to the building owner compliance schedule established under subsection (8) of this section;

((~~+~~)) (C) The sum of the building's gross floor area minus unconditioned and semiconditioned spaces, as defined in the Washington state energy code, is less than 50,000 square feet;

((~~+~~)) (D) The primary use of the building is manufacturing or other industrial purposes, as defined under the following use designations of the international building code: ((~~A~~)) (I) Factory group F; or ((~~B~~)) (II) high hazard group H, including spaces with nonexempt occupancy classifications that are within the manufacturing or industrial building, not to include tenant spaces that are not associated with the primary manufacturing or industrial use of the building;

((~~+~~)) (E) The building is an agricultural structure; (~~or~~

~~(+))~~ (F) The building meets at least one of the following conditions of financial hardship: ((~~A~~)) (I) The building had arrears of property taxes or water or wastewater charges that resulted in the building's inclusion, within the prior two years, on a city's or county's annual tax lien sale list; ((~~B~~)) (II) the building has a court appointed receiver in control of the asset due to financial distress; ((~~C~~)) (III) the building is owned by a financial institution through default by a borrower; ((~~D~~)) (IV) the building has been acquired by a deed in lieu of foreclosure within the previous 24 months; ((~~E~~)) (V) the building has a senior mortgage subject to a notice of default; (VI) the building is a K-12 school building in a school district or a private school that has financial hardships related to capital construction or improvements including, but not limited to, a failed bond and/or levy, limited school district debt capacity, and/or the building is actively correcting a violation of state board of health rules; (VII) the building is a public hospital in a public hospital district that lacks the debt capacity to cover the cost of compliance; or ((~~F~~))

(VIII) other conditions of financial hardship identified by the department by rule; or

(G) Extenuating conditions exist, as approved by the department prior to the reporting date including, but not limited to:

(I) Buildings for which meeting the standard would impair the historic integrity of the building including, but not limited to, properties listed in the national register of historic places, the Washington heritage register, or local registers of historic places;

(II) Buildings for which meeting the standard would impair national security interests;

(III) Buildings that have had significant losses in assessed value since the COVID-19 pandemic which prevents building owners from securing capital in the form of loans against equity in the covered building; or

(IV) Other extenuating circumstances identified by the department by rule that may still require benchmarking, operations and maintenance programs, and energy management plan reporting.

(b) The covered building owner may apply to the department for an extension to its compliance date. Requests for extension must be received by the department no sooner than six months prior to and up to six months after the applicable compliance date in order to be processed by the department. The department may approve extension requests for conditions including, but not limited to, conditions beyond the control of the building owner. An extension granted pursuant to this subsection is valid for two years beyond the covered building's compliance date after which the covered building owner may apply to the department for an extension renewal or file for an exemption.

(8) A building owner of a tier 1 covered (~~commercial~~) building must meet the following reporting schedule for complying with the standard established under this section:

(a) For a building with more than 220,000 gross square feet, June 1, 2026;

(b) For a building with more than 90,000 gross square feet but less than 220,001 gross square feet, June 1, 2027; and

(c) For a building with more than 50,000 gross square feet but less than 90,001 square feet, June 1, 2028.

(9)(a) The department may issue a notice of violation to a building owner for noncompliance with the requirements of this section. A determination of noncompliance may be made for any of the following reasons:

(i) Failure to submit a compliance report in the form and manner prescribed by the department;

(ii) Failure to meet an energy use intensity target or alternative metric, or failure to receive conditional compliance approval;

(iii) Failure to provide accurate reporting consistent with the requirements of the standard established under this section; and

(iv) Failure to provide a valid exemption certificate.

(b) In order to create consistency with the implementation of the standard and rules adopted under this section, the department must reply and cite the section of law, code, or standard in a notice of violation for noncompliance with the requirements of this section when requested to do so by the building owner or the building owner's agent.

(10) The department is authorized to impose an administrative penalty upon a building owner for failing to submit documentation demonstrating compliance with the requirements of this section. The penalty may not exceed an amount equal to \$5,000 plus an amount based on the duration of any continuing violation. The additional amount for a continuing violation may not exceed a daily amount equal to \$1 per year per gross square foot of floor area. The department may by rule increase the maximum penalty rates to adjust for the effects of inflation. Penalties incurred from noncompliance may not be passed along

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to tenants, so long as tenants are providing access to utility usage data, physical spaces in the buildings, and being responsive to needs from building owners to facilitate compliance with the standard.

(11) Administrative penalties collected under this section must be deposited into the low-income weatherization and structural rehabilitation assistance account created in RCW 70A.35.030.

(12) The department must adopt rules as necessary to implement this section, including but not limited to:

(a) Rules necessary to ensure timely, accurate, and complete reporting of building energy performance for all covered ((commercial)) buildings;

(b) Rules necessary to enforce the standard established under this section; and

(c) Rules that provide a mechanism for appeal of any administrative penalty imposed by the department under this section.

(13) Upon request by the department, each county assessor must provide property data from existing records to the department as necessary to implement this section.

(14) By January 15, 2022, and each year thereafter through 2029, the department must submit a report to the governor and the appropriate committees of the legislature on the implementation of the state energy performance standard established under this section. The report must include information regarding the adoption of the ANSI/ASHRAE/IES standard 100-2018 as an initial model, the financial impact to building owners required to comply with the standard, the amount of incentives provided under RCW 19.27A.220 and 19.27A.230, and any other significant information associated with the implementation of this section.

Sec. 5. RCW 19.27A.220 and 2024 c 85 s 1 are each amended to read as follows:

(1) The department must establish a state energy performance standard early adoption incentive program consistent with the requirements of this section. This early adoption incentive program may include incentive payments for early adoption of tier 2 covered building owner requirements as described in subsection (6) of this section.

(2) The department must adopt application and reporting requirements for the incentive program. Building energy reporting for the incentive program must be consistent with the energy reporting requirements established under RCW 19.27A.210.

(3) Upon receiving documentation demonstrating that a building owner qualifies for an incentive under this section, the department must authorize each applicable entity administering incentive payments, as provided in RCW 19.27A.240, to make an incentive payment to the building owner. When a building is served by more than one entity offering incentives or more than one type of fuel, incentive payments must be proportional to the energy use intensity reduction of each specific fuel provided by each entity for tier 1 buildings. The department may authorize any participating utility, regardless of fuel specific savings, serving a tier 2 building to administer the incentive payment.

(4) A covered building owner may receive an incentive payment in the amounts specified in subsection (8)(a) of this section only if the following requirements are met:

(a) The building is either: (i) A tier 1 covered ((commercial)) building subject to the requirements of the standard established under RCW 19.27A.210; or (ii) a multifamily residential building where the floor area exceeds 50,000 gross square feet, excluding the parking garage area;

(b) The building's baseline energy use intensity exceeds its applicable energy use intensity target by at least 15 energy use

intensity units;

(c) At least one electric utility, gas company, or thermal energy company providing or delivering energy to the tier 1 covered ((commercial)) building or multifamily residential building is participating in the incentive program by administering incentive payments as provided in RCW 19.27A.240; and

(d) The building owner complies with any other requirements established by the department.

(5) A covered building owner who meets the requirements of subsection (4) of this section may submit an application to the department for an incentive payment in a form and manner prescribed by the department. The application must be submitted in accordance with the following schedule:

(a) For a building with more than 220,000 gross square feet, beginning July 1, 2021, through June 1, 2025;

(b) For a building with more than 90,000 gross square feet but less than 220,001 gross square feet, beginning July 1, 2021, through June 1, 2026; and

(c) For a building with more than 50,000 gross square feet but less than 90,001 gross square feet, beginning July 1, 2021, through June 1, 2027.

(6)(a) A tier 2 covered building owner may receive an incentive payment in the amounts specified in subsection (8)(b) of this section only if all required benchmarking, energy management, and operations and maintenance planning documentation as required under RCW 19.27A.250 has been submitted to the department and an incentive application has been completed.

(b) An eligible tier 2 covered building owner may submit an application beginning July 1, 2025, through June 1, 2030.

(7) The department must review each application and determine whether the applicant is eligible for the incentive program and if funds are available for the incentive payment within the limitation established in RCW 19.27A.230. If the department certifies an application, it must provide verification to the building owner and each entity participating as provided in RCW 19.27A.240 and providing service to the building owner.

(8)(a) An eligible owner of a tier 1 covered building or an eligible owner of a multifamily residential building greater than 50,000 gross square feet, excluding the parking area, that demonstrates early compliance with the applicable energy use intensity target under the standard established under RCW 19.27A.210 may receive a base incentive payment of 85 cents per gross square foot of floor area, excluding parking, unconditioned, or semiconditioned spaces. The department may provide incentives greater than the base incentive payment for upgrading tier 1 buildings.

(b) A tier 2 eligible building owner that demonstrates compliance with the applicable benchmarking, energy management, and operations and maintenance planning requirements may receive a base incentive payment of 30 cents per gross square foot of floor area, excluding parking, unconditioned, or semiconditioned spaces. The department may provide incentives greater than the base incentive payment for upgrading tier 2 buildings. The department may implement a tiered incentive structure for upgrading multifamily buildings to provide an enhanced incentive payment to multifamily building owners willing to commit to antidisplacement provisions.

(9) The incentives provided in subsection (8) of this section are subject to the limitations and requirements of this section, including any rules or procedures implementing this section.

(10) The department must establish requirements for the verification of energy consumption by the building owner and each participating electric utility, gas company, and thermal energy company.

(11) The department must provide an administrative process

for an eligible building owner to appeal a determination of an incentive eligibility or amount.

(12) By September 30, 2025, and every two years thereafter, the department must report to the appropriate committees of the legislature on the results of the incentive program under this section and may provide recommendations to improve the effectiveness of the program. The 2025 report to the legislature must include recommendations for aligning the incentive program established under this section consistent with a goal of reducing greenhouse gas emissions from substitutes, as defined in RCW 70A.60.010.

(13) The department may adopt rules to implement this section.

Sec. 6. RCW 19.27A.250 and 2022 c 177 s 3 are each amended to read as follows:

(1)(a) By December 1, 2023, the department must adopt by rule a state energy management and benchmarking requirement for tier 2 covered buildings. The department shall include a small business economic impact statement pursuant to chapter 19.85 RCW as part of the rule making.

(b) In establishing the requirements under (a) of this subsection, the department must adopt requirements for building owner implementation consistent with the standard established pursuant to RCW 19.27A.210(1) and limited to energy management planning, operations and maintenance planning, and energy use analysis through benchmarking and associated reporting and administrative procedures. Administrative procedures must include exemptions for financial hardship and an appeals process for administrative determinations, including penalties imposed by the department.

(c) The department must provide a customer support program to building owners including, but not limited to, outreach and informational materials that connect tier 2 covered building owners to utility resources, periodic training, phone and email support, and other technical assistance. The customer support program must include enhanced technical support, such as benchmarking assistance and assistance in developing energy management and operations and maintenance plans, for tier 2 covered buildings whose owners typically do not employ dedicated building managers including, but not limited to, multifamily housing, child care facilities, and houses of worship. The department shall prioritize underresourced buildings with a high energy use per square foot, buildings in rural communities, buildings whose tenants are primarily small businesses, and buildings located in high-risk communities according to the department of health's environmental health disparities map.

(d)(i) The department may adopt rules related to the imposition of an administrative penalty not to exceed 30 cents per square foot upon a tier 2 covered building owner for failing to submit documentation demonstrating compliance with the requirements of this subsection. Penalties incurred from noncompliance may not be passed along to tenants, so long as tenants are providing access to utility usage data, physical spaces in the buildings, and being responsive to needs from building owners to facilitate compliance with the standard.

(ii) Administrative penalties collected under this section must be deposited into the low-income weatherization and structural rehabilitation assistance account created in RCW 70A.35.030 and reinvested into the program, where feasible, to support compliance with the standard.

(2) By July 1, 2025, the department must provide the owners of tier 2 covered buildings with notification of the requirements the department has adopted pursuant to this section that apply to tier 2 covered buildings.

(3) The owner of a tier 2 covered building must report the building owner's compliance with the requirements adopted by the department to the department in accordance with the schedule

established under subsection (4) of this section and every five years thereafter. For each reporting date, the building owner must submit documentation to demonstrate that the building owner has developed and implemented the procedures adopted by the department by rule, limited to energy management planning, operations and maintenance planning, and energy use analysis through benchmarking.

(4) By July 1, 2027, tier 2 covered building owners must submit reports to the department as required by the rules adopted in subsection (1) of this section.

(5)(a) By July 1, 2029, the department must evaluate benchmarking data to determine energy use and greenhouse gas emissions averages by tier 2 covered building type.

(b) The department must submit a report to the legislature and the governor by October 1, 2029, with recommendations for cost-effective building performance standards for tier 2 covered buildings. The report must contain information on estimated costs to building owners to implement the performance standards and anticipated implementation challenges.

(c)(i) By December 31, 2030, the department must adopt rules for performance standards for tier 2 covered buildings.

(ii) In adopting these performance standards, the department must consider the age of the building in setting energy use intensity targets or alternative metrics.

(iii) The department may adopt performance standards for multifamily residential buildings on a longer timeline schedule than for other tier 2 covered buildings.

(iv) The rules may not take effect before the end of the 2031 regular legislative session.

(v) The department must include a small business economic impact statement pursuant to chapter 19.85 RCW as part of the rule making."

On page 1, line 3 of the title, after "reporting;" strike the remainder of the title and insert "amending RCW 19.27A.170, 19.27A.210, 19.27A.220, and 19.27A.250; and reenacting and amending RCW 19.27A.140 and 19.27A.200."

MOTION

Senator Harris moved that the following floor amendment no. 0293 by Senator Harris be adopted:

On page 11, line 9, after "one" insert ", or combination of multiple partial exemptions affecting more than 50 percent of building square footage as established by the department by rule."

Senators Harris and Shewmake spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0293 by Senator Harris on page 11, line 9 to Substitute House Bill No. 1543.

The motion by Senator Harris carried and floor amendment no. 0293 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Harris and without objection, floor amendment no. 0284 by Senator Harris on page 12, line 22 to Substitute House Bill No. 1543 was withdrawn.

Senators Shewmake and Boehnke spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Environment, Energy & Technology as amended to Substitute

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House Bill No. 1543.

The motion by Senator Shewmake carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Substitute House Bill No. 1543 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1543 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1543 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE HOUSE BILL NO. 1543 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1308, by House Committee on Labor & Workplace Standards (originally sponsored by Reed, Fosse, Alvarado, Thai, Doglio, Cortes, Mena, Obras, Scott, Taylor, Macri, Ortiz-Self, Pollet, Salahuddin, Berry, Duerr, Reeves, Goodman, Street, Simmons, Walen, Ormsby, Ramel, Nance, and Parshley)

Concerning access to personnel records.

The measure was read the second time.

MOTION

Senator King moved that the following floor amendment no. 0289 by Senators King and Liias be adopted:

On page 1, line 18, after "records;" insert "and"

On page 1, beginning on line 19, after "agreements" strike all material through "file" on line 21

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

The President declared the question before the Senate to be the adoption of floor amendment no. 0289 by Senators King and Liias on page 1, line 18 to Substitute House Bill No. 1308.

The motion by Senator King carried and floor amendment no. 0289 was adopted by voice vote.

MOTION

Senator King moved that the following floor amendment no. 0288 by Senator King be adopted:

On page 2, beginning on line 8, after "(1)" strike all material through "(a) The" on line 10 and insert "Each"

On page 2, at the beginning of line 15, strike "(b) The" and insert "Each"

On page 2, beginning on line 20, strike all of subsection (2)

On page 2, at the beginning of line 26, strike "((2)) (3)" and insert "(2)"

On page 2, line 27, after "employer" strike "under subsection (1) or (2) of this section"

On page 3, at the beginning of line 3, strike "(4)" and insert "(3)"

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

Senator Saldaña spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0288 by Senator King on page 2, line 8 to Substitute House Bill No. 1308.

The motion by Senator King did not carry and floor amendment no. 0288 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 0287 by Senators Braun and Liias be adopted:

On page 3, beginning on line 8, after "(1)" strike all material through "violations" on line 32 and insert "The department shall enforce the requirements in RCW 49.12.250(1). For purposes of enforcing RCW 49.12.250(1), the department is empowered to:

(a) Investigate a violation in response to a complaint by an aggrieved employee or former employee and seek remedial relief for the complainant;

(b) Educate employers, employees, and the public about how to comply with RCW 49.12.250(1);

(c) Issue written civil investigative demands for pertinent documents, answers to written interrogatories, or oral testimony; and

(d) Adopt rules governing the filing of complaints, the investigation of complaints, the application of penalties, an administrative appeals process, and consequences for the failure to comply with a final order imposing penalties or remedial relief.

(2) In exercising its powers, the department shall use a stepped enforcement approach, by first educating violators through a warning, then taking administrative action. Maximum penalties are as follows:

(a) A notice of violation and offer of department assistance for the first violation;

(b) A monetary penalty of up to \$2,500 for the second violation; and

(c) A monetary penalty of up to \$5,000 for each subsequent violation.

(3) This section constitutes the exclusive remedy for violations of RCW 49.12.250(1). This section does not create a private right of action to seek damages or remedies of any kind"

Senator Braun spoke in favor of adoption of the amendment.

Senator Saldaña spoke against adoption of the amendment.

The President declared the question before the Senate to be the

adoption of floor amendment no. 0287 by Senators Braun and Liias on page 3, line 8 to Substitute House Bill No. 1308.

The motion by Senator Braun did not carry and floor amendment no. 0287 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Substitute House Bill No. 1308 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1308 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1308 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Chapman, Christian, Dozier, Fortunato, Gildon, Goehner, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SUBSTITUTE HOUSE BILL NO. 1308 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1258, by House Committee on Finance (originally sponsored by Ormsby, and Hill)

Providing funding for municipalities participating in the regional 911 emergency communications system.

The measure was read the second time.

MOTION

Senator Riccelli moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 82.14B RCW to read as follows:

(1) A county located east of the crest of the Cascade mountains with a population between 530,000 and 1,500,000 receiving tax revenues under this chapter that operates a regional 911 emergency communications system must transfer a portion of the county 911 excise tax revenues received under RCW 82.14B.030 (1), (2), and (3) to the corresponding local government operating a municipal public safety answering point or receiving calls

transferred from the regional 911 emergency communications system for disposition and dispatch. The portion of the county 911 excise tax to be transferred by a county operating a regional 911 communications system is the same percentage used for the tax imposed pursuant to RCW 82.14.420 (7) and (8).

(2) Beginning in calendar year 2026, the amount calculated in subsection (1) of this section must be transferred quarterly by the county operating the regional 911 emergency communications system to the corresponding local government operating a municipal public safety answering point or receiving calls transferred from the regional 911 emergency communications system to a municipal public safety answering point for disposition and dispatch for the quarter.

(3) For the purposes of this section, "regional 911 emergency communications system" means a 911 emergency communications system operated by a county that is responsible for receiving incoming 911 emergency calls for multiple local government law enforcement and fire response agencies."

On page 1, line 2 of the title, after "system;" strike the remainder of the title and insert "and adding a new section to chapter 82.14B RCW."

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

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed Substitute House Bill No. 1258.

The motion by Senator Riccelli carried and the committee striking amendment was adopted by rising vote.

MOTION

On motion of Senator Riccelli, the rules were suspended, Engrossed Substitute House Bill No. 1258 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Riccelli spoke in favor of passage of the bill.

Senators Gildon and Christian spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1258 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1258 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Frame, Gildon, Goehner, Harris, Holy, King, Lovelett, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1258 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

EIGHTY SEVENTH DAY, APRIL 9, 2025

2025 REGULAR SESSION

ENGROSSED HOUSE BILL NO. 1329, by Representatives Hunt, Ybarra, Berry, Ormsby, Duerr, Parshley, Hill, Doglio, and Callan

Concerning wholesale power purchases by electric utilities under the Washington clean energy transformation act.

The measure was read the second time.

MOTION

Senator Boehnke moved that the following floor amendment no. 0286 by Senator Boehnke be adopted:

On page 9, after line 15, insert the following:

"Sec. 3. RCW 19.405.100 and 2019 c 288 s 10 are each amended to read as follows:

(1) It is the intent of this chapter that the commission and department adopt rules to streamline the implementation of chapter 288, Laws of 2019 with chapter 19.285 RCW to simplify compliance and avoid duplicative processes. It is the intent of the legislature that the commission and the department coordinate in developing rules related to process, timelines, and documentation that are necessary for the implementation of this chapter.

(2) The commission may adopt rules to ensure the proper implementation and enforcement of this chapter as it applies to investor-owned utilities.

(3) The department may adopt rules to ensure the proper implementation and enforcement of this chapter as it applies to consumer-owned utilities. Nothing in this subsection may be construed to restrict the rate-making authority of the governing body of a consumer-owned utility as otherwise provided by law.

(4)(a) The department must adopt rules establishing reporting requirements for electric utilities to demonstrate compliance with this chapter. The requirements must, to the extent practicable, be consistent with the disclosures required under chapter 19.29A RCW.

(b) Beginning with the interim performance report due July 1, 2026, consumer-owned electric utilities must include in each interim performance or compliance report the number of unspecified electricity contracts with terms greater than 31 days used to serve Washington retail customers. The report will include information regarding the duration and purpose of the unspecified contracts and the months contracted.

(5) An investor-owned utility must also report all information required in subsection (4)(a) of this section to the commission.

(6) An electric utility must also make reports required in this section available to its retail electric customers.

(7) The department of ecology must adopt rules, in consultation with the commission and the department of commerce, to establish requirements for energy transformation project investments including, but not limited to, verification procedures, reporting standards, and other logistical issues as necessary.

(8) The department must adopt rules providing for the measuring and tracking of thermal renewable energy credits that may be used for compliance under RCW 19.405.040.

(9) Pursuant to the administrative procedure act, chapter 34.05 RCW, rules needed for the implementation of this chapter must be adopted by January 1, 2021, unless specified otherwise elsewhere in this chapter. These rules may be revised as needed to carry out the intent and purposes of this chapter."

On page 1, line 3 of the title, after "RCW 19.405.020" strike "and 19.405.030" and insert ", 19.405.030, and 19.405.100"

Senators Boehnke and Slatter spoke in favor of adoption of the

amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0286 by Senator Boehnke on page 9, after line 15 to Engrossed House Bill No. 1329.

The motion by Senator Boehnke carried and floor amendment no. 0286 was adopted by voice vote.

MOTION

On motion of Senator Slatter, the rules were suspended, Engrossed House Bill No. 1329 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1329 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1329 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED HOUSE BILL NO. 1329 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1108, by House Committee on Appropriations (originally sponsored by Klicker, Peterson, Barkis, Ybarra, Low, Leavitt, Schmidt, Eslick, Penner, Connors, Paul, Ramel, Jacobsen, Shavers, Burnett, Rude, Keaton, Obras, Timmons, Wylie, Caldier, Barnard, Rule, Nance, Berg, and Bernbaum)

Creating a task force on housing cost driver analysis.

The measure was read the second time.

MOTION

Senator Goehner moved that the following committee striking amendment by the Committee on Housing be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The Washington state institute for public policy must conduct a study researching, analyzing, and determining, to the extent practicable, the primary cost drivers for homeownership and rental housing in Washington state and produce a final report as described in this section.

(2) In conducting the study, the Washington state institute for

public policy must conduct fact-finding and stakeholder discussions with a task force containing at least one representative of each of the following groups:

- (a) Economists with expertise in the economic disciplines most relevant to the issue of housing cost drivers;
- (b) Nonprofit developers of rental housing;
- (c) Nonprofit developers of housing for homeownership;
- (d) For-profit housing developers;
- (e) Builders;
- (f) A statewide organization representing the building trades labor;
- (g) Realtors;
- (h) Cities;
- (i) Counties;
- (j) Tenants;
- (k) Landlords who provide at least 10 rental housing units;
- (l) Landlords who provide no more than two rental housing units;
- (m) A statewide association representing real estate appraisers;
- (n) Home mortgage lenders;
- (o) Multifamily lenders;
- (p) Utility providers;
- (q) Public housing authorities;
- (r) The Washington state housing finance commission;
- (s) The office of equity;
- (t) The carpenters union;
- (u) A statewide association representing business; and
- (v) An organization representing architects.

(3) The Washington state institute for public policy must facilitate at least one in-person meeting and two additional meetings, to be held virtually, with the task force identified in subsection (2) of this section for the purpose of identifying cost drivers for the development of single-family homes, multifamily housing, middle housing, accessory dwelling units and co-living housing, and the impact on homeownership and rental housing in Washington state.

(4) The Washington state institute for public policy, in completing the duties prescribed by this section, shall solicit and consider information and perspectives provided by the affordable housing advisory board and persons and entities with relevant interest and expertise.

(5) The department of commerce must cooperate with the Washington state institute for public policy to facilitate access to data or other resources necessary to complete the work of this section.

(6) By December 1, 2026, and in compliance with RCW 43.01.036, the Washington state institute for public policy shall submit a report to the appropriate committees of the legislature with the findings of its study under this section.

(7) This section expires June 1, 2027.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void."

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

MOTION

Senator Bateman moved that the following floor amendment no. 0279 by Senator Bateman be adopted:

On page 1, line 10, after "with" strike "a task force containing"

On page 2, beginning on line 6, strike all material through "force" on line 7 and insert "solicit and consider information and

perspectives provided by the groups"

Senators Bateman and Goehner spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0279 by Senator Bateman on page 1, line 10 to the committee striking amendment.

The motion by Senator Bateman carried and floor amendment no. 0279 was adopted by voice vote.

Senator Goehner spoke in favor of adoption of the committee striking amendment as amended.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Housing as amended to Engrossed Second Substitute House Bill No. 1108.

The motion by Senator Goehner carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Goehner, the rules were suspended, Engrossed Second Substitute House Bill No. 1108 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Goehner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1108 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1108 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman and Wilson, C.

Voting nay: Senators MacEwen, McCune, Muzzall, Wagoner and Wilson, J.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1108 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1013, by Representatives Schmidt, Fosse, Berry, and Reeves

Concerning exemption of certain personnel of the department of social and health services from civil service.

The measure was read the second time.

MOTION

EIGHTY SEVENTH DAY, APRIL 9, 2025

2025 REGULAR SESSION

On motion of Senator Wilson, J., the rules were suspended, House Bill No. 1013 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J. and Valdez spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1013.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1013 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

HOUSE BILL NO. 1013, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1644, by House Committee on Labor & Workplace Standards (originally sponsored by Fosse, Ortiz-Self, Parshley, Stonier, Taylor, Shavers, Davis, Obras, Macri, Berg, Hill, Street, Berry, Reed, Cortes, Ramel, Thomas, Goodman, Ormsby, Salahuddin, Scott, Gregerson, Thai, and Simmons)

Concerning the safety and health of working minors.

The measure was read the second time.

MOTION

Senator Riccelli moved that the following floor amendment no. 0296 by Senator Braun be adopted:

On page 1, beginning on line 7, strike all of section 1
Renummer the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "RCW" strike "39.04.350,"

Senator Braun spoke in favor of adoption of the amendment.

Senator Saldaña spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0296 by Senator Braun on page 1, line 7 to Engrossed Substitute House Bill No. 1644.

The motion by Senator Riccelli did not carry and floor amendment no. 0296 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 0294 by Senator Braun be adopted:

On page 5, line 11, after "employer" strike "must" and insert "may"

On page 5, after line 32, insert the following:

"(d) No civil penalty may be assessed pursuant to (c) of this subsection for a de minimis violation."

Reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 10, line 16, after "employer" strike "must" and insert "may"

On page 10, after line 37, insert the following:

"(d) No civil penalty may be assessed pursuant to (c) of this subsection for a de minimis violation."

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Senator Braun spoke in favor of adoption of the amendment.

Senators Saldaña and Fortunato spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0294 by Senator Braun on page 5, line 11 to Engrossed Substitute House Bill No. 1644.

The motion by Senator Braun did not carry and floor amendment no. 0294 was not adopted by voice vote.

MOTION

Senator King moved that the following floor amendment no. 0290 by Senator King be adopted:

On page 7, line 9, after "(i)" insert "(A)"

On page 7, line 13, after "order" strike ", where one" and insert "; and"

(B) One"

On page 12, line 1, after "(i)" insert "(A)"

On page 12, line 6, after "orders" strike ", where one" and insert "; and"

(B) One"

Senator King spoke in favor of adoption of the amendment.

Senator Saldaña spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0290 by Senator King on page 7, line 9 to Engrossed Substitute House Bill No. 1644.

The motion by Senator King did not carry and floor amendment no. 0290 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following floor amendment no. 0291 by Senator Schoesler be adopted:

On page 8, line 24, after "the" insert "primary"

On page 9, line 16, after "the" insert "primary"

Senator Schoesler spoke in favor of adoption of the amendment.

Senator Saldaña spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0291 by Senator Schoesler on page 8, line 24 to Engrossed Substitute House Bill No. 1644.

The motion by Senator Schoesler did not carry and floor amendment no. 0291 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute House Bill No. 1644 was advanced to third

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

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1644.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1644 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Gildon, Hansen, Harris, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Torres, Trudeau, Valdez, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Christian, Dozier, Fortunato, Goehner, Hasegawa, MacEwen, McCune, Schoesler, Short, Wagoner and Warnick

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1644, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I voted incorrectly on HB 1644 and would like to note in the journal that I'd intended to vote YES on this bill. It was the immediately following 2 bills on the floor calendar HB 1121 and HB 1722 that I was actually intending to vote NO on.

SENATOR Hasegawa, 11th Legislative District

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1121, by House Committee on Labor & Workplace Standards (originally sponsored by McClintock, Schmidt, Jacobsen, and Orcutt)

Concerning restrictions on the working conditions and hours of sixteen- and seventeen-year olds.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 1121 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1121.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1121 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Holy, Kauffman, King, Krishnadasan, Liias, Lovick, MacEwen,

McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Torres, Trudeau, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Dhingra, Hasegawa, Lovelett, Stanford and Valdez

SUBSTITUTE HOUSE BILL NO. 1121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1722, by Representatives Connors, Schmidt, Dufault, and Barnard

Reviewing state restrictions affecting students participating in secondary career and technical education programs and other state-approved career pathways.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 1722 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 1722.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1722 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Holy, Kauffman, King, Krishnadasan, Liias, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Torres, Trudeau, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Hasegawa, Lovelett, Stanford and Valdez

HOUSE BILL NO. 1722, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1486, by House Committee on Postsecondary Education & Workforce (originally sponsored by Salahuddin, Pollet, Doglio, Davis, Reed, Ramel, Goodman, Peterson, Nance, Scott, Hill, and Simmons)

Adding a student member to the state board for community and technical colleges.

The measure was read the second time.

MOTION

EIGHTY SEVENTH DAY, APRIL 9, 2025

2025 REGULAR SESSION

On motion of Senator Nobles, the rules were suspended, Substitute House Bill No. 1486 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1486.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1486 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Christian, Gildon, MacEwen, McCune, Muzzall, Schoesler, Short, Torres and Wilson, J.

SUBSTITUTE HOUSE BILL NO. 1486, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1167, by Representatives Shavers, Reed, Ryu, Paul, Simmons, Nance, and Timmons

Directing the statewide career and technical education task force to consider educational opportunities for careers in maritime professions.

The measure was read the second time.

MOTION

Senator Liias moved that the following floor amendment no. 0282 by Senator Liias be adopted:

On page 2, beginning on line 6, after "(f)" strike all material through "(g)" on line 8

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0282 by Senator Liias on page 2, line 6 to House Bill No. 1167.

The motion by Senator Liias carried and floor amendment no. 0282 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 1167 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 1167 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1167 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

HOUSE BILL NO. 1167 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1829, by House Committee on Community Safety (originally sponsored by Lekanoff, Goodman, and Pollet)

Concerning tribal warrants.

The measure was read the second time.

MOTION

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

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 10.32.070 and 2024 c 207 s 8 are each amended to read as follows:

(1) Subject to the provisions of RCW 10.32.050, a place of detention shall deliver or make available a person in custody to the noncertified tribe without a judicial order of surrender provided that:

((4)) (a) Such person is alleged to have broken the terms of his or her probation, parole, bail, or any other release of the noncertified tribe; and

((2)) (b) The place of detention has received from the noncertified tribe an authenticated copy of a prior waiver of extradition signed by such person as a term of his or her probation, parole, bail, or any other release of the noncertified tribe and photographs or fingerprints or other evidence properly identifying the person as the person who signed the waiver.

(2) As used in this section, "authenticated copy" means a copy of a prior waiver of extradition signed by an authorized representative of the tribal court attesting the document is a true record of the tribal court waiver of extradition.

NEW SECTION. Sec. 2. A new section is added to chapter 10.32 RCW to read as follows:

The certified or noncertified tribe demanding the extradition of a tribal fugitive pursuant to this chapter shall have standing in any hearing in state court testing the legality of the extradition.

NEW SECTION. Sec. 3. A new section is added to chapter 10.32 RCW to read as follows:

(1) Upon issuing a tribal warrant, the court of a tribe may file such warrant with the superior court of the county in which the tribe is physically located along with:

- (a) A certified copy of the charging document;
- (b) The tribal code provision, constitutional provision, or federal statute authorizing the certified tribe to exercise criminal jurisdiction over the tribal fugitive for whom the tribal warrant has been issued; and

(c) Identifying information for the tribal fugitive.

(2) A warrant so filed shall be timely reviewed by a superior court. If the court makes a finding of probable cause that a tribal fugitive subject to a filed tribal warrant has been charged with a crime by the filing tribe, the court must order the issuance of a state warrant of arrest for such tribal fugitive from justice under section 4 of this act, which shall expire six months after issuance, unless withdrawn earlier under subsection (4) of this section.

(3) Any judicial proceedings involving a tribal fugitive subject to a warrant filed under this section must occur in the county where the tribal fugitive is first detained.

(4) A warrant filed under this section must be withdrawn once the person who is the subject of the tribal warrant has submitted to the tribe's tribal court jurisdiction or been arrested.

NEW SECTION. Sec. 4. A new section is added to chapter 10.32 RCW to read as follows:

Whenever any person within this state shall be charged on the oath of any credible person before any judge or magistrate of this state with the commission of any crime by any federally recognized tribe with territory located within the borders of the state of Washington and with having fled from justice, or with having been convicted of a crime by any federally recognized tribe with territory located in the state of Washington and having escaped from confinement, or having broken the terms of such person's bail, probation, or parole, or whenever complaint shall have been made before any judge or magistrate in this state setting forth on the affidavit of any credible person of a federally recognized tribe with territory within this state that a crime has been committed for which the tribe has criminal jurisdiction and that the accused has been charged by such tribe with the commission of the crime, and has fled from justice, or with having been convicted of a crime in that tribe's courts and having escaped from confinement, or having broken the terms of such person's bail, probation, or parole and is believed to be in this state, the judge or magistrate shall issue a warrant directed to any peace officer commanding such officer to apprehend the person named therein, wherever such person may be found in this state, and to bring such person before the same or any other judge, magistrate, or court who or which may be available in or convenient of access to the place where the arrest may be made, to answer the charge or complaint and affidavit, and a certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant.

Sec. 5. RCW 9A.72.010 and 2019 c 232 s 10 are each amended to read as follows:

The following definitions are applicable in this chapter unless the context otherwise requires:

(1) "Materially false statement" means any false statement oral or written, regardless of its admissibility under the rules of evidence, which could have affected the course or outcome of the proceeding;

(2) "Oath" includes an affirmation and every other mode authorized by law of attesting to the truth of that which is stated; in this chapter, written statements shall be treated as if made under oath if:

(a) The statement was made on or pursuant to instructions on an official form bearing notice, authorized by law, to the effect that false statements made therein are punishable;

(b) The statement recites that it was made under oath, the declarant was aware of such recitation at the time he or she made the statement, intended that the statement should be represented as a sworn statement, and the statement was in fact so represented by its delivery or utterance with the signed jurat of an officer authorized to administer oaths appended thereto; or

(c) It is a statement, declaration, verification, or certificate, made within or outside the state of Washington, which is declared to be true under penalty of perjury as provided in chapter 5.50 RCW or under the code of any federally recognized tribe.

(3) An oath is "required or authorized by law" when the use of the oath is specifically provided for by statute or regulatory provision or when the oath is administered by a person authorized by state, a federally recognized tribe, or federal law to administer oaths;

(4) "Official proceeding" means a proceeding heard before any state, federally recognized tribal, or federal legislative, judicial, administrative, or other government agency or official authorized to hear evidence under oath, including any tribal court, referee, hearing examiner, commissioner, notary, or other person taking testimony or depositions;

(5) "Juror" means any person who is a member of any jury, including a grand jury, impaneled by any court of this state, or tribal court, or by any public servant authorized by law to impanel a jury; the term juror also includes any person who has been drawn or summoned to attend as a prospective juror;

(6) "Testimony" includes oral or written statements, documents, or any other material that may be offered by a witness in an official proceeding;

(7) "Tribal" means a federally recognized Indian tribe as defined by 25 U.S.C. Sec. 1301;

(8) "Tribal court" means an Indian court as defined by 25 U.S.C. Sec. 1301;

(9) "Tribal law" means the Constitution, codes, ordinance, regulations, case law, and customary law of a federally recognized tribe.

Sec. 6. RCW 10.32.010 and 2024 c 207 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) "Noncertified tribe" means a federally recognized tribe located within the borders of the state of Washington that is requesting that a tribal fugitive be surrendered to the duly authorized agent of the tribe, but has not received approval to exercise jurisdiction under the tribal law and order act of 2010, section 234, codified at 25 U.S.C. Sec. 1302, and which has agreed by treaty or practice not to shelter or conceal offenders against the laws of the state of Washington but to deliver them up to state authorities for prosecution.

(2) "Certified tribe" means a federally recognized tribe located within the borders of the state of Washington that (a) may impose a term of imprisonment of greater than one year, or a fine greater than \$5,000, or both, pursuant to the tribal law and order act of 2010, section 234, codified at 25 U.S.C. Sec. 1302; and (b) has agreed not to shelter or conceal offenders against the laws of the state of Washington but to deliver them up to state authorities for prosecution.

(3) "Peace officer" has the same meaning as in RCW 10.93.020(4).

(4) "Place of detention" means a jail as defined in RCW 70.48.020, a correctional facility as defined in RCW 72.09.015, and any similar adult facility contracted by a city or county.

(5) "Tribal court judge" includes every judicial officer authorized alone or with others, to hold or preside over the criminal court of a certified tribe or noncertified tribe.

(6) "Tribal fugitive" or "fugitive" means any person who is

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subject to tribal court criminal jurisdiction, committed an alleged crime under the tribal code, and thereafter fled tribal jurisdiction, including by escaping or evading confinement, breaking the terms of their probation, bail, or parole, or absenting themselves from the jurisdiction of the tribal court.

(7) "Tribal police officer" has the same meaning as in RCW 10.92.010.

Sec. 7. RCW 10.32.130 and 2024 c 207 s 14 are each amended to read as follows:

(1) A peace officer ~~((or a peace officer))~~ as defined in RCW 43.101.010, limited authority Washington peace officer as defined in RCW 10.93.020, specially commissioned Washington peace officer as defined in RCW 10.93.020, local or state corrections officer as defined in RCW 43.101.010, jail as defined in RCW 70.48.020, or such officer's or jail facility's legal advisor may not be held criminally or civilly liable for making an arrest or not making an arrest under chapter 207, Laws of 2024 if the peace officer or the peace officer's legal advisor acted in good faith and without malice.

(2) Chapter 207, Laws of 2024 is not intended to limit, abrogate, or modify existing immunities for prosecuting attorneys for good faith conduct consistent with statutory duties.

Sec. 8. RCW 10.32.090 and 2024 c 207 s 10 are each amended to read as follows:

(1) A peace officer may arrest a person subject to a tribal arrest warrant from a noncertified tribe when the warrant is presented by a tribal court representative or tribal law enforcement officer to the peace officer or a general authority Washington law enforcement agency as defined in RCW 10.93.020 or entered in the national crime information center ~~((interstate identification index))~~ or Washington information center. The arrested person must be brought to an appropriate place of detention and then to the nearest available superior court judge ~~((without unnecessary delay))~~ the next judicial day. The superior court judge shall issue an order continuing custody upon presentation of the tribal arrest warrant.

(2) The judge shall inform the person appearing under subsection (1) of this section of the name of the noncertified tribe that has subjected the person to an arrest warrant, the basis of the arrest warrant, the right to assistance of counsel, and the right to require a judicial hearing before transfer of custody to the applicable noncertified tribe.

(3) After being informed by the judge of the effect of a waiver, the arrested person may waive the right to require a judicial hearing and consent to return to the applicable noncertified tribe by executing a written waiver. If the waiver is executed, the judge shall issue an order to transfer custody under subsection (5) of this section or, with consent of the applicable noncertified tribe, authorize the voluntary return of the person to that tribe.

(4) If a hearing is not waived under subsection (3) of this section, the court shall hold a hearing within ~~((three days))~~ 72 hours, excluding weekends and holidays, after the initial appearance. The arrested person and the prosecuting attorney's office shall be informed of the time and place of the hearing. The court shall release the person upon conditions that will reasonably assure availability of the person for the hearing or direct a peace officer to maintain custody of the person until the time of the hearing. Following the hearing, the judge shall issue an order to transfer custody under subsection (5) of this section unless the arrested person established by clear and convincing evidence that the arrested person is not the person identified in the warrant. If the court does not order transfer of custody, the judge shall order the arrested person to be released.

(5) A judicial order to transfer custody issued under subsection (4) of this section shall be directed to a peace officer to take or

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retain custody of the person until a representative of the applicable noncertified tribe is available to take custody. If the noncertified tribe has not taken custody ~~((with F:\Journal\2025 Journal\Journal2025\LegDay087\within.doc))~~ within three days, excluding weekends and holidays, the court may order the release of the person upon conditions that will assure the person's availability on a specified date ~~((with F:\Journal\2025 Journal\Journal2025\LegDay087\within.doc))~~ within seven days. If the noncertified tribe has not taken custody within the time specified in the order, the person shall be released. Thereafter, an order to transfer custody may be entered only if a new arrest warrant is issued. The court may authorize the voluntary return of the person with the consent of the applicable noncertified tribe.

Sec. 9. RCW 10.32.100 and 2024 c 207 s 11 are each amended to read as follows:

(1) Any arrest warrant issued by the court of a certified tribe shall be accorded full faith and credit by the courts of the state of Washington and enforced by the court and peace officers of the state as if it were the arrest warrant of the state. Certified tribes' warrants may be entered into the national crime information center or Washington information center. A Washington state peace officer who arrests a person pursuant to the arrest warrant of a certified tribe, if no other grounds for detention exist under state law, shall, as soon as practical after detaining the person, and in accordance with standard practices, contact the tribal law enforcement agency that issued the warrant to establish the warrant's validity.

(2) A place of detention shall allow a certified tribe to place a detainee on an inmate based on a tribal warrant. For the purposes of this section, detainee means a request by a certified tribe's tribal court, tribal police department, or tribal prosecutor's office, filed with the place of detention in which a person is incarcerated, to hold the person for the certified tribe and to notify the tribe when release of the person is imminent so that the person can be transferred to tribal custody within 72 hours of their release from all other holds.

(3) The privilege of the writ of habeas corpus shall be available to any person detained under this provision. The issues in the habeas corpus proceeding shall be limited to those identified in RCW 10.32.060 (4) and (5)."

On page 1, line 1 of the title, after "warrants;" strike the remainder of the title and insert "amending RCW 10.32.070, 9A.72.010, 10.32.010, 10.32.130, 10.32.090, and 10.32.100; and adding new sections to chapter 10.32 RCW."

Senators Dhingra and Holy spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Engrossed Substitute House Bill No. 1829.

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

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1829 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1829.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1829 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1829, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1821, by House Committee on Labor & Workplace Standards (originally sponsored by Cortes, Stonier, Doglio, Berry, Parshley, Street, Obras, Ormsby, Macri, Fosse, Scott, and Pollet)

Expanding the definition of "interested party" for the purposes of prevailing wage laws.

The measure was read the second time.

MOTION

Senator King moved that the following floor amendment no. 0298 by Senator King be adopted:

On page 5, line 26, after "(3)" insert "(a)"

On page 5, after line 32, insert the following:

"(b) Prior to the release of any records, the requester must attest under penalty of perjury, as defined in RCW 9A.72.020, that use of the records conforms with the requirements of this section."

Senator King spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, floor amendment no. 0298 by Senator King on page 5, line 26 to Substitute House Bill No. 1821 was withdrawn.

MOTION

Senator King moved that the following floor amendment no. 0299 by Senator King be adopted:

On page 5, line 26, after "(3)" insert "(a)"

On page 5, after line 32, insert the following:

"(b) Prior to the release of any records, the department of labor and industries must redact the personal addresses of all employees referenced in the records."

Senator King spoke in favor of adoption of the amendment.

Senator Saldaña spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0299 by Senator King on page 5, line 26 to Substitute House Bill No. 1821.

The motion by Senator King did not carry and floor amendment no. 0299 was not adopted by voice vote.

MOTION

Senator King moved that the following floor amendment no. 0300 by Senator King be adopted:

On page 5, line 26, after "(3)" insert "(a)"

On page 5, after line 32, insert the following:

"(b) Prior to the release of any payroll records, the department of labor and industries must provide notice to any employee referenced in the records that includes the identity of the requester. The department of labor and industries may not release any payroll records to a requester without the voluntary and written consent of the employees referenced in the records."

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

Senator Saldaña spoke against adoption of the amendment.

POINT OF ORDER

Senator Riccelli: "Thank you Mr. President. I believe the gentleman is impugning members."

RULING BY THE PRESIDENT

President Heck: "Senator Riccelli, the President finds that the language 'the only reason to' is problematic insofar as it assigns a motive or intent. The characterization that it grants an unfair advantage by itself is not the impugning of the motives of another member, but the former language is problematic. Therefore, Senator Fortunato the President would ask that you confine your remarks to the bill before us and be careful as to the issue of assigning motivation and/or blame and/or motive on the part of a colleague. Please proceed sir."

The President declared the question before the Senate to be the adoption of floor amendment no. 0300 by Senator King on page 5, line 26 to Substitute House Bill No. 1821.

The motion by Senator King failed and floor amendment no. 0300 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Substitute House Bill No. 1821 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1821.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1821 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake,

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Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Chapman, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, Lias, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SUBSTITUTE HOUSE BILL NO. 1821, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1309, by House Committee on Appropriations (originally sponsored by McEntire, Bernbaum, Griffey, Tharinger, Couture, Walsh, Simmons, Ormsby, Schmick, and Nance)

Addressing the impacts of burrowing shrimp on bottom culture shellfish farming through integrated pest management research.

The measure was read the second time.

MOTION

On motion of Senator Wilson, J., the rules were suspended, Substitute House Bill No. 1309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1309.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1309 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senator Dhingra

SUBSTITUTE HOUSE BILL NO. 1309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1327, by Representatives Schmick, and Stearns

Concerning horse racing.

The measure was read the second time.

MOTION

On motion of Senator Fortunato, the rules were suspended,

House Bill No. 1327 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 1327.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1327 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Bateman, Harris, Hasegawa and Shewmake

HOUSE BILL NO. 1327, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1576, by House Committee on Local Government (originally sponsored by Walen, and Barkis)

Concerning the designation of historic landmarks by cities.

The measure was read the second time.

MOTION

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

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW to read as follows:

(1)(a) Except as provided for in subsection (3) of this section, cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, preservation ordinances, and other official controls the requirements of subsection (2) of this section for properties that are zoned for residential or mixed use no later than one year after the effective date of this section.

(b) Except as provided in subsection (3) of this section, the requirements of subsection (2) of this section apply and take effect in any city that has not adopted or amended ordinances, regulations, or other official controls as required under this section by the timeline in (a) of this subsection and supersede, preempt, and invalidate any conflicting local regulations.

(2) No city may designate a property as a historic landmark if:

(a) The property that would be designated as a historic landmark is less than 40 years old; or

(b) The designation would restrict the use, alteration, or demolition of the property, and the written consent of the owner

of the property has not been obtained. Such a designation made through a local preservation ordinance after the effective date of this section without the written consent of the property owner is void unless and until such consent is obtained. Nothing in this act affects such a designation made through a local preservation ordinance prior to the effective date of this section.

(3) The limitations in subsection (2) of this section do not apply if the property that would be designated as a historic landmark is within a historic district established through a local preservation ordinance, or if the nominator has provided written documentation to show that the property nominated to be designated as a historic landmark is more than 125 years old and the city has determined that the property to be designated as a historic landmark is more than 125 years old.

(4) Nothing in this section prevents a city from allowing a property to be nominated as a historic landmark without the consent of the property owner. Except as provided in subsection (3) of this section, such consent must be obtained prior to the nomination being approved and the property being designated as a landmark.

NEW SECTION. Sec. 2. A new section is added to chapter 35A.21 RCW to read as follows:

(1)(a) Except as provided for in subsection (3) of this section, code cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, preservation ordinances, and other official controls, the requirements of subsection (2) of this section for properties that are zoned for residential or mixed use no later than one year after the effective date of this section.

(b) Except as provided in subsection (3) of this section, the requirements of subsection (2) of this section apply and take effect in any code city that has not adopted or amended ordinances, regulations, or other official controls as required under this section by the timeline in (a) of this subsection and supersede, preempt, and invalidate any conflicting local regulations.

(2) No code city may designate a property as a historic landmark if:

(a) The property that would be designated as a historic landmark is less than 40 years old; or

(b) The designation would restrict the use, alteration, or demolition of the property, and the written consent of the owner of the property has not been obtained. Such a designation made through a local preservation ordinance after the effective date of this section without the written consent of the property owner is void unless and until such consent is obtained. Nothing in this act affects such a designation made through a local preservation ordinance prior to the effective date of this section.

(3) The limitations in subsection (2) of this section do not apply if the property that would be designated as a historic landmark is within a historic district established through a local preservation ordinance, or if the nominator has provided written documentation to show that the property nominated to be designated as a historic landmark is more than 125 years old, and the code city has determined that the property to be designated as a historic landmark is more than 125 years old.

(4) Nothing in this section prevents a code city from allowing a property to be nominated as a historic landmark without the consent of the property owner. Except as provided in subsection (3) of this section, such consent must be obtained prior to the nomination being approved and the property being designated as a landmark.

Sec. 3. RCW 43.21C.495 and 2023 c 334 s 6 and 2023 c 3 s 8 are each reenacted and amended to read as follows:

(1) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions

taken by a city to implement: The actions specified in section 2, chapter 246, Laws of 2022 unless the adoption of such ordinances, development regulations and amendments to such regulations, or other nonproject actions has a probable significant adverse impact on fish habitat; and the increased residential building capacity actions identified in RCW 36.70A.600(1), with the exception of the action specified in RCW 36.70A.600(1)(f), are not subject to administrative or judicial appeals under this chapter.

(2) Amendments to development regulations and other nonproject actions taken by a city to implement the requirements under RCW 36.70A.635 pursuant to RCW 36.70A.636(3)(b) are not subject to administrative or judicial appeals under this chapter.

(3) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city or county consistent with the requirements of RCW 36.70A.680 and 36.70A.681, or such actions taken by a city pursuant to section 1 or 2 of this act, are not subject to administrative or judicial appeals under this chapter."

On page 1, line 2 of the title, after "cities;" strike the remainder of the title and insert "reenacting and amending RCW 43.21C.495; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 35A.21 RCW."

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

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce to Substitute House Bill No. 1576.

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

MOTION

On motion of Senator Salomon, the rules were suspended, Substitute House Bill No. 1576 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Conway spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1576 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1576 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Conway and Kauffman

SUBSTITUTE HOUSE BILL NO. 1576 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered

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to stand as the title of the act.

Senator Hasegawa announced a meeting of the Democratic Caucus in 5 minutes.

Senator Warnick announced that the Republican Caucus would not be meeting.

The President announced a meeting of the Committee on Rules at 5 o'clock p.m.

At 4:11 p.m., on motion of Senator Riccelli, the Senate adjourned until 9:30 a.m. Thursday, April 10, 2025.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

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Ibarra-Rivera, Miss Harley	1	
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