

## EIGHTY FIFTH DAY

## MORNING SESSION

Senate Chamber, Olympia  
Monday, April 8, 2019

April 5, 2019

The Senate was called to order at 10:04 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Wilson, L.

The Sergeant at Arms Color Guard consisting of Pages Miss Chloe Clouse and Mr. Matthew Enertson, presented the Colors. Page Mr. Owain Wasak led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Dr. Tammy Stampfli, Co-Pastor, The United Churches of Olympia.

The President called upon the Secretary to read the journal of the preceding day.

## MOTION

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

## MOTION

There being no objection, the Senate advanced to the first order of business.

## REPORTS OF STANDING COMMITTEES

April 5, 2019

HB 1070 Prime Sponsor, Representative Mosbrucker: Concerning the tax treatment of renewable natural gas. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Pedersen; Palumbo; Liias; Keiser; Hunt; Warnick; Darneille; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Conway.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

April 5, 2019

2SHB 1166 Prime Sponsor, Committee on Appropriations: Supporting sexual assault survivors. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Warnick; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Frockt, Vice Chair, Operating, Capital Lead; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Schoesler; Van De Wege; Wagoner; Hasegawa Rolfes, Chair.

Referred to Committee on Rules for second reading.

E2SHB 1517 Prime Sponsor, Committee on Appropriations: Concerning domestic violence. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Law & Justice. Signed by Senators Rolfes, Chair; Van De Wege; Schoesler; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Wagoner; Darneille; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Conway and Warnick.

Referred to Committee on Rules for second reading.

April 5, 2019

HB 1534 Prime Sponsor, Representative Dufault: Concerning psychiatric payments under medical assistance programs for certain rural hospitals that are not designated as critical access hospitals, do not participate in the certified public expenditure program, have less than fifty acute care beds, and have combined medicare and medicaid inpatient days greater than fifty percent of total days. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Warnick; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Frockt, Vice Chair, Operating, Capital Lead; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Schoesler; Van De Wege; Wagoner; Hasegawa Rolfes, Chair.

Referred to Committee on Rules for second reading.

April 5, 2019

SHB 1605 Prime Sponsor, Committee on Human Services & Early Learning: Requiring traumatic brain injury screenings for children entering the foster care system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Van De Wege; Schoesler; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Wagoner; Darneille; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Conway and Warnick.

Referred to Committee on Rules for second reading.

April 5, 2019

SHB 1826 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the disclosure of certain information during the discharge planning process. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Behavioral Health Subcommittee to Health &

Long Term Care. Signed by Senators Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Frockt, Vice Chair, Operating, Capital Lead; Hasegawa; Keiser; Liias; Pedersen; Schoesler; Van De Wege; Palumbo; Hunt Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick; Honeyford, Assistant Ranking Member, Capital and Wagoner.

Referred to Committee on Rules for second reading.

April 5, 2019

HB 1829 Prime Sponsor, Representative Chapman: Concerning veterans' assistance levies. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Van De Wege; Pedersen; Palumbo; Keiser; Hunt; Darneille; Conway; Billig; Honeyford, Assistant Ranking Member, Capital; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Liias.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa; Carlyle; Becker; Bailey; Brown, Assistant Ranking Member, Operating; Schoesler and Warnick.

Referred to Committee on Rules for second reading.

April 5, 2019

ESHB 1916 Prime Sponsor, Committee on Civil Rights & Judiciary: Improving the delivery of child support services to families by increasing flexibility and efficiency. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Warnick; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Frockt, Vice Chair, Operating, Capital Lead; Darneille; Hunt; Keiser; Liias; Palumbo; Pedersen; Schoesler; Van De Wege; Wagoner; Hasegawa Rolfes, Chair.

Referred to Committee on Rules for second reading.

April 5, 2019

SHB 1931 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning workplace violence in health care settings. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Van De Wege; Schoesler; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Wagoner; Darneille; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Conway and Warnick.

Referred to Committee on Rules for second reading.

## MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

## MOTION

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

## MESSAGES FROM THE HOUSE

April 5, 2019

MR. PRESIDENT:  
The Speaker has signed:

HOUSE BILL NO. 1412,  
SUBSTITUTE HOUSE BILL NO. 1577,  
HOUSE BILL NO. 1634,  
SUBSTITUTE HOUSE BILL NO. 1764,  
ENGROSSED HOUSE BILL NO. 1777,  
HOUSE BILL NO. 1852,  
SUBSTITUTE HOUSE BILL NO. 1870,  
SUBSTITUTE HOUSE BILL NO. 1909,  
SUBSTITUTE HOUSE BILL NO. 1949,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

April 5, 2019

MR. PRESIDENT:  
The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5627

and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

April 4, 2019

MR. PRESIDENT:  
The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1107

and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

April 4, 2019

MR. PRESIDENT:  
The House has passed:

SENATE BILL NO. 5032,  
SENATE BILL NO. 5083,  
SENATE BILL NO. 5122,  
SENATE BILL NO. 5162,  
SUBSTITUTE SENATE BILL NO. 5333,  
SUBSTITUTE SENATE BILL NO. 5386,  
SENATE BILL NO. 5387,  
SENATE BILL NO. 5503,  
SENATE BILL NO. 5622,  
SENATE BILL NO. 5764,  
SUBSTITUTE SENATE BILL NO. 5889,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

April 4, 2019

MR. PRESIDENT:  
The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

HOUSE BILL NO. 1743

and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

EIGHTY FIFTH DAY, APRIL 8, 2019

2019 REGULAR SESSION

MOTION

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

INTRODUCTION AND FIRST READING

ESHB 1107 by House Committee on Finance (originally sponsored by Slatter, Ryu, Macri, Wylie, Bergquist and Santos)

AN ACT Relating to nonprofit homeownership development; amending RCW 84.36.049; amending 2018 c 103 s 1 (uncodified); and creating a new section.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

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

MOTION

Senator Dhingra moved adoption of the following resolution:

SENATE RESOLUTION  
8643

By Senators Dhingra, Wellman, Brown, Kuderer, and Wagoner

WHEREAS, Destination Imagination began in 1999, and quickly expanded into a world-class problem-solving program for students with more than 150,000 participants annually in the United States and more than 30 countries for age levels pre-k through university; and

WHEREAS, Destination Imagination has been an important component of inspiring and equipping participants to achieve anything they can imagine in life; and

WHEREAS, Destination Imagination participants learn self-confidence, creative and critical thinking, team building, perseverance, problem solving, risk taking, and project management; and

WHEREAS, Destination Imagination has developed one of the world's best professional development programs through challenges in the areas of technical, scientific, engineering, fine arts, improvisational, service learning; and

WHEREAS, For nearly 20 years, Destination Imagination participants have gone on to careers in communications, business, law, medicine, and countless other disciplines where they put into practice the skills and knowledge learned through the program; and

WHEREAS, Many Washington state teams have gone on to win regional, state, and global competitions; and

WHEREAS, The work of the Destination Imagination program has made a significant difference in the lives of millions of children;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate acknowledge the achievements of Destination Imagination over two decades of advancing project-based challenges that are designed to build confidence and

develop extraordinary creativity, critical thinking, communication, and teamwork skills; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Adam Law, Director of Affiliate Relations for Destination Imagination, and Lindsey Holdren, Affiliate Director for Destination Imagination — Washington State.

Senator Dhingra spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8643.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students and representatives of Destination Imagination – Washington State led by Ms. Lindsey Holdren, Affiliate Director, who were seated in the gallery and recognized by the senate.

MOTION

At 10:16 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator Billig announced a meeting of the Democratic Caucus immediately upon going at ease.

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The Senate was called to order at 11:39 a.m. by President Habib.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1101, by House Committee on Capital Budget (originally sponsored by Tharinger)

Concerning state general obligation bonds and related accounts.

The measure was read the second time.

MOTION

Senator Frockt 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.** For the purpose of providing funds to finance the projects described and authorized by the legislature in the omnibus capital and operating appropriations acts for the 2017-2019 and 2019-2021 fiscal biennia, and all costs incidental thereto, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of three billion sixty million five hundred forty-nine

thousand dollars, or as much thereof as may be required, to finance these projects and all costs incidental thereto. Bonds authorized in this section may be sold at such price as the state finance committee shall determine. No bonds authorized in this section may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds.

**NEW SECTION. Sec. 2.** (1) The proceeds from the sale of bonds authorized in section 1 of this act shall be deposited in the state building construction account created by RCW 43.83.020. The proceeds shall be transferred as follows:

(a) Two billion eight hundred seventy-eight million five hundred thirty-four thousand dollars to remain in the state building construction account created by RCW 43.83.020;

(b) One hundred eighty-four million fifteen thousand dollars to the state taxable building construction account. All receipts from taxable bonds issued are to be deposited into the account. If the state finance committee deems it necessary or advantageous to issue more than the amount specified in this subsection (1)(b) as taxable bonds in order to comply with federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds or in order to reduce the total financing costs for bonds issued, the proceeds of such additional taxable bonds shall be transferred to the state taxable building construction account in lieu of any transfer otherwise provided by this section. If the state finance committee determines that a portion of the amount specified in this subsection (1)(b) as taxable bonds may be issued as nontaxable bonds in compliance with federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds, then such bond proceeds shall be transferred to the state building construction account in lieu of the transfer to the state taxable building construction account otherwise provided by this subsection (1)(b). The state treasurer shall submit written notice to the director of financial management if it is determined that any such additional transfer to the state taxable building construction account is necessary or that a transfer from the state taxable building construction account to the state building construction account may be made. Moneys in the account may be spent only after appropriation.

(2)(a) The treasurer shall transfer bond proceeds deposited in the state building construction account into the outdoor recreation account created by RCW 79A.25.060, the habitat conservation account created by RCW 79A.15.020, the farm and forest account created by RCW 79A.15.130, and the early learning facilities development account created by RCW 43.31.569, at various times and in various amounts necessary to support authorized expenditures from those accounts.

(b) The treasurer shall transfer bond proceeds deposited in the state taxable building construction account into the early learning facilities revolving account created by RCW 43.31.569, at various times and in various amounts necessary to support authorized expenditures from that account.

(3) These proceeds shall be used exclusively for the purposes specified in this section and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this section, and shall be administered by the office of financial management subject to legislative appropriation.

**NEW SECTION. Sec. 3.** (1) The debt-limit general fund bond retirement account shall be used for the payment of the principal of and interest on the bonds authorized in section 1 of this act.

(2) The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet the bond retirement and interest requirements on the bonds authorized in section 1 of this

act.

(3) On each date on which any interest or principal and interest payment is due on bonds issued for the purposes of section 2 (1) and (2) of this act the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the debt-limit general fund bond retirement account an amount equal to the amount certified by the state finance committee to be due on the payment date.

**NEW SECTION. Sec. 4.** (1) Bonds issued under section 1 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

(2) The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

**NEW SECTION. Sec. 5.** The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized in section 1 of this act, and sections 2 and 3 of this act shall not be deemed to provide an exclusive method for the payment.

**NEW SECTION. Sec. 6.** Sections 1 through 5 of this act are each added to chapter 43.100A RCW.

**NEW SECTION. Sec. 7.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 8.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "accounts;" strike the remainder of the title and insert "adding new sections to chapter 43.100A RCW; and declaring an emergency."

Senator Schoesler spoke against adoption of the committee striking amendment.

Senator Frockt spoke on adoption of the committee striking amendment.

#### MOTIONS

On motion of Senator Rivers, Senator Wilson, L. was excused.

On motion of Senator Wilson, C., Senator McCoy was excused.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 1101.

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

#### MOTION

On motion of Senator Frockt, the rules were suspended, Substitute House Bill No. 1101 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 Frockt, Wellman, Billig and Palumbo spoke in favor of passage of the bill.

EIGHTY FIFTH DAY, APRIL 8, 2019

2019 REGULAR SESSION

Senators Schoesler, Sheldon, Walsh, Zeiger and Ericksen spoke against passage of the bill.

Senators Honeyford and Rives spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1101 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1101 as amended by the Senate and the bill failed to pass the Senate by the following vote: Yeas, 26; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lovelett, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Liias, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Zeiger

Excused: Senators McCoy and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1101, as amended by the Senate, having failed to receive the required three-fifths majority, was declared lost.

NOTICE OF RECONSIDERATION

Pursuant to Rule 37, having voted on the prevailing side, Senator Liias gave notice of his intent to move to reconsider the vote by which Substitute House Bill No. 1101 failed to pass the Senate.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1138, by House Committee on Civil Rights & Judiciary (originally sponsored by Ryu, Barkis, Leavitt, Reeves, Harris, Macri, Klippert, Kilduff, Dolan, Shea, Sells, Appleton, Goodman, Young, Riccelli and Stanford)

Concerning the armed forces exceptions for giving notice of termination of a tenancy.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute House Bill No. 1138 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1138.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1138 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown,

Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators McCoy and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1138, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the family of Senator Palumbo who were seated in the gallery.

SECOND READING

HOUSE BILL NO. 1252, by Representatives Pellicciotti, Klippert, Dolan, Valdez, Orwall, Pollet, Riccelli, Goodman, Kilduff, Bergquist, Robinson, Doglio, Macri, Appleton, Hudgins, Peterson, Fitzgibbon, Stonier, Lovick, Jinkins, Tharinger, Stanford, Senn, Leavitt, Slatter, Chapman, Frame, Fey and Wylie

Concerning crime committed by business entities.

The measure was read the second time.

MOTION

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

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This act shall be known and cited as the corporate crime act.

Sec. 2. RCW 9A.08.030 and 2011 c 336 s 352 are each amended to read as follows:

(1) As used in this section:

(a) "Agent" means any director, officer, or employee of ~~((a corporation))~~ an entity, or any other person who is authorized to act on behalf of the ~~((corporation))~~ entity;

(b) ~~(("Corporation"))~~ "Entity" includes ~~((a joint stock association))~~ any domestic entity formed under or governed as to its internal affairs by Title 23, 23B, 24, or 25 RCW or any foreign business entity formed under or governed as to its internal affairs by the laws of a jurisdiction other than this state;

(c) "Governor" has the same meaning as provided in RCW 23.95.105.

(d) "High managerial agent" means ~~((an officer or director of a corporation or any other agent))~~ a governor or person in a position of comparable authority ((with respect to the formulation of corporate policy or the supervision in a managerial capacity of)) in an entity not governed by chapter 23.95 RCW, and any other agent who manages subordinate employees.

(2) ~~((A corporation))~~ An entity is guilty of an offense when:

(a) The conduct constituting the offense consists of an omission to discharge a specific duty of performance imposed on ~~((corporations))~~ entities by law; or

(b) The conduct constituting the offense is engaged in, authorized, solicited, requested, commanded, or tolerated by ~~((the~~

~~board of directors or by~~) a high managerial agent acting within the scope of his or her ~~((employment))~~ duties and on behalf of the ~~((corporation))~~ entity; or

(c) The conduct constituting the offense is engaged in by an agent of the ~~((corporation))~~ entity, other than a high managerial agent, while acting within the scope of his or her ~~((employment))~~ duties and ~~((#))~~ on behalf of the ~~((corporation))~~ entity and (i) the offense is a gross misdemeanor or misdemeanor, or (ii) the offense is one defined by a statute which clearly indicates a legislative intent to impose such criminal liability on ~~((a corporation))~~ an entity.

(3) A person is criminally liable for conduct constituting an offense which he or she performs or causes to be performed in the name of or on behalf of ~~((a corporation))~~ an entity to the same extent as if such conduct were performed in his or her own name or behalf.

(4) Whenever a duty to act is imposed by law upon ~~((a corporation))~~ an entity, any agent of the ~~((corporation))~~ entity who knows he or she has or shares primary responsibility for the discharge of the duty is criminally liable for a reckless omission or, if a high managerial agent, criminally negligent omission to perform the required act to the same extent as if the duty were by law imposed directly upon such agent.

(5) Every ~~((corporation))~~ entity, whether foreign or domestic, which shall violate any provision of RCW 9A.28.040, shall forfeit every right and franchise to do business in this state. The attorney general shall begin and conduct all actions and proceedings necessary to enforce the provisions of this subsection.

**Sec. 3.** RCW 10.01.070 and 1987 c 202 s 147 are each amended to read as follows:

(1) Whenever an indictment or information shall be filed in any superior court against ~~((a corporation))~~ an entity charging it with the commission of a crime, a summons shall be issued by the clerk of such court, signed by one of the judges thereof, commanding the sheriff forthwith to notify the accused thereof, and commanding it to appear before such court at such time as shall be specified in said summons. Such summons and a copy of the indictment or information shall be at once delivered by such clerk to said sheriff and by the sheriff forthwith served and returned in the manner provided for service of summons upon such ~~((corporation))~~ entity in a civil action. Whenever a complaint against ~~((a corporation))~~ an entity, charging it with the commission of a crime, shall be made before any district or municipal judge, a like summons, signed by such judge, shall be issued, which, together with a copy of said complaint, shall be delivered to the sheriff at once and by the sheriff forthwith served as herein provided.

(2) For the purposes of this section, "entity" has the same meaning as provided in RCW 9A.08.030.

**Sec. 4.** RCW 10.01.090 and 1987 c 202 s 148 are each amended to read as follows:

~~((If the corporation shall be found guilty and a fine imposed, #))~~ (1) An entity convicted of an offense may be ordered to pay legal financial obligations, including restitution, crime victims' assessments, costs, fines, penalties, and other assessments authorized or required by law. Legal financial obligations imposed upon an entity shall be entered and docketed by the clerk, or district or municipal court as a judgment against the ((corporation)) entity, and it shall be of the same force and effect and be enforced against such ((corporation)) entity in the same manner as a judgment in a civil action. Notwithstanding any other provisions pertaining to legal financial obligations, all legal financial obligations imposed in a judgment against an entity under this section bear interest from the date of the judgment until

payment at the rate applicable to civil judgments under RCW 4.56.110. When an entity is ordered to pay restitution, payments to the clerk must be distributed to restitution prior to all other obligations.

(2) Except as otherwise provided under subsection (1) of this section, payments on legal financial obligations must be collected and distributed according to the requirements under RCW 3.50.100, 3.62.020, 3.62.040, 9.92.070, 9.94A.760, 10.01.160, 10.01.170, 10.01.180, 10.46.190, 10.64.015, 10.73.160, 10.82.090, 35.20.220, and any other sections applicable to legal financial obligations imposed as a result of a criminal conviction.

(3) For the purposes of this section, "entity" has the same meaning as provided in RCW 9A.08.030.

**Sec. 5.** RCW 10.01.100 and 1925 ex.s. c 101 s 1 are each amended to read as follows:

~~((Every corporation guilty of a violation of any law of the state of Washington, where the prescribed penalty is, for any reason, incapable of execution or enforcement against such corporation, shall be punished by a fine of not more than ten thousand dollars, if such offense is a felony; or, by a fine of not more than one thousand dollars if such offense is a gross misdemeanor; or, by a fine of not more than five hundred dollars if such offense is a misdemeanor.))~~ (1) When imposed on an entity for any criminal offense for which no special business fine is specified, a sentence to pay a fine may not exceed:

(a) One million dollars for a class A felony;

(b) Seven hundred fifty thousand dollars for a class B felony;

(c) Five hundred thousand dollars for a class C felony;

(d) Two hundred fifty thousand dollars for a gross misdemeanor; and

(e) Fifty thousand dollars for a misdemeanor.

(2) If a special fine for entities is expressly specified in the statute that defines an offense, the fine fixed must be within the limits specified in the statute.

(3) For the purposes of this section, "entity" has the same meaning as provided in RCW 9A.08.030."

On page 1, line 1 of the title, after "entities;" strike the remainder of the title and insert "amending RCW 9A.08.030, 10.01.070, 10.01.090, and 10.01.100; creating a new section; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1252.

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

#### MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 1252 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 1252 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1252 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown,

EIGHTY FIFTH DAY, APRIL 8, 2019

2019 REGULAR SESSION

Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators McCoy and Wilson, L.

HOUSE BILL NO. 1252, 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. 1431, by Representatives Kirby and Vick

Concerning joint self-insurance programs for property and liability risks.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1431 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1431.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1431 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Absent: Senator Ericksen

Excused: Senators McCoy and Wilson, L.

HOUSE BILL NO. 1431, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1412,  
 SUBSTITUTE HOUSE BILL NO. 1577,  
 HOUSE BILL NO. 1634,  
 SUBSTITUTE HOUSE BILL NO. 1764,  
 ENGROSSED HOUSE BILL NO. 1777,  
 HOUSE BILL NO. 1852,  
 SUBSTITUTE HOUSE BILL NO. 1870,  
 SUBSTITUTE HOUSE BILL NO. 1909,  
 and SUBSTITUTE HOUSE BILL NO. 1949.

SECOND READING

HOUSE BILL NO. 1020, by Representatives Eslick and Stanford

Modifying the qualifications of members composing the county road administration board.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, House Bill No. 1020 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hobbs spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senator Ericksen was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 1020.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1020 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators McCoy and Wilson, L.

HOUSE BILL NO. 1020, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5032,  
 SENATE BILL NO. 5083,  
 SENATE BILL NO. 5122,  
 SUBSTITUTE SENATE BILL NO. 5333,  
 SUBSTITUTE SENATE BILL NO. 5386,  
 SENATE BILL NO. 5387,  
 SENATE BILL NO. 5503,  
 SENATE BILL NO. 5622,  
 SENATE BILL NO. 5764,  
 and SUBSTITUTE SENATE BILL NO. 5889.

SECOND READING

HOUSE BILL NO. 2038, by Representatives Ramos, Orcutt, Eslick and Fey

Concerning pavement condition reporting requirements.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, House Bill No. 2038 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hobbs 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. 2038.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2038 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators McCoy and Wilson, L.

HOUSE BILL NO. 2038, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:31 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Tuesday, April 9, 2019.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate



1020		1826-S	
Second Reading .....	7	Committee Report.....	1
Third Reading Final Passage .....	7	1829	
1070		Committee Report.....	2
Committee Report.....	1	1852	
1101-S		Messages .....	2
Other Action.....	4, 5	President Signed.....	7
Second Reading .....	3	1870-S	
Third Reading Final Passage .....	5	Messages .....	2
1107-SE		President Signed.....	7
Introduction & 1st Reading.....	3	1909-S	
Messages .....	2	Messages .....	2
1138-SE		President Signed.....	7
Second Reading .....	5	1916-SE	
Third Reading Final Passage .....	5	Committee Report.....	2
1166-S2		1931-S	
Committee Report.....	1	Committee Report.....	2
1252		1949-S	
Other Action.....	6	Messages .....	2
Second Reading .....	5	President Signed.....	7
Third Reading Final Passage .....	6	2038	
1412		Second Reading .....	7
Messages .....	2	Third Reading Final Passage .....	8
President Signed.....	7	5032	
1431		Messages .....	2
Second Reading .....	7	President Signed.....	7
Third Reading Final Passage .....	7	5083	
1517-S2E		Messages .....	2
Committee Report.....	1	President Signed.....	7
1534		5122	
Committee Report.....	1	Messages .....	2
1577-S		President Signed.....	7
Messages .....	2	5162	
President Signed.....	7	Messages .....	2
1605-S		5333-S	
Committee Report.....	1	Messages .....	2
1634		President Signed.....	7
Messages .....	2	5386-S	
President Signed.....	7	Messages .....	2
1743		President Signed.....	7
Messages .....	2	5387	
1764-S		Messages .....	2
Messages .....	2	President Signed.....	7
President Signed.....	7	5503	
1777-E		Messages .....	2
Messages .....	2	President Signed.....	7
President Signed.....	7	5622	

Messages ..... 2  
 President Signed..... 7  
 5627-S  
 Messages ..... 2  
 5764  
 Messages ..... 2  
 President Signed..... 7  
 5889-S  
 Messages ..... 2  
 President Signed..... 7  
 8643  
 Adopted..... 3  
 Introduced ..... 3

CHAPLAIN OF THE DAY

Stampfli, Rev. Dr. Tammy, Co-Pastor, The  
 United Churches of Olympia ..... 1

FLAG BEARERS

Clouse, Miss Chloe ..... 1  
 Enertson, Mr. Matthew ..... 1

GUESTS

Destination Imagination – Washington State 3  
 Holdren, Ms. Lindsey, Affiliate Director,  
 Destination Imagination – WA State ..... 3  
 Palumbo, Sen. Guy, Family of..... 5  
 Wasak, Mr. Owain, Pledge of Allegiance..... 1