

SIXTY NINTH LEGISLATURE - REGULAR SESSION

NINETY SECOND DAY

House Chamber, Olympia, Monday, April 14, 2025

The House was called to order at 9:00 a.m. by the Speaker (Representative Stearns presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Caitlin Roberts and Neil Shah. The Speaker (Representative Stearns presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Dr. Amna Qazi, Muslim Community Leader, Islamic Center of Olympia.

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

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

INTRODUCTION & FIRST READING

HB 2077 by Representatives Fitzgibbon and Macri

AN ACT Relating to establishing a tax on certain business activities related to surpluses generated under the zero-emission vehicle program; amending RCW 42.56.270; adding a new chapter to Title 82 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

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

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5337, Orwall, Frame, Hasegawa, Lovick and Noblesby Senate Committee on Ways & Means (originally sponsored by Orwall, Frame, Hasegawa, Lovick and Nobles)

Creating a certification for memory care services.

The bill was read the second time.

Representative Dufault moved the adoption of amendment (1144):

On page 6, line 39, after "(10)" insert "If the department finds that an assisted living facility operates a memory care facility or memory care unit without a certification or holds a certification under this section and has violated the standards established in this section, it may impose one or more of the enforcement actions established in RCW 18.20.190 upon the assisted living facility.
(11)"

On page 7, beginning on line 10, strike all of section 4

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

Representative Dufault spoke in favor of the adoption of the amendment.

Representative Bronoske spoke against the adoption of the amendment.

MOTION

On motion of Representative Leavitt, Representative Kloba was excused.

Amendment (1144) was not adopted.

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

Representative Bronoske spoke in favor of the passage of the bill.

MOTION

On motion of Representative Griffey, Representative Mendoza was excused.

Representative Caldier spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5337.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5337, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Voting Nay: Representatives Dufault, Jacobsen, McEntire and Walsh

Excused: Representatives Kloba and Mendoza

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5337, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5616, by Senators Hasegawa, Stanford and Nobles

Concerning the Washington saves administrative trust account.

The bill was read the second time.

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

Representatives Stonier and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Senate Bill No. 5616.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5616, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Voting Nay: Representatives Corry and Dufault
Excused: Representatives Kloba and Mendoza

SENATE BILL NO. 5616, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5616.
Representative Dufault, 15th District

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5616.
Representative Corry, 15th District

SECOND READING

SENATE BILL NO. 5473, by Senators Conway, Chapman and Holy

Concerning law enforcement personnel grievance arbitration procedures.

The bill was read the second time.

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

Representatives Scott and Schmidt spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Senate Bill No. 5473.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5473, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dufault, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Excused: Representatives Kloba and Mendoza

SENATE BILL NO. 5473, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5478, by Senators Bateman, Nobles and Robinson

Concerning benefits authorized to be offered by the public employees' benefits board.

The bill was read the second time.

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

Representatives Stonier and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Senate Bill No. 5478.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5478, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Voting Nay: Representative Dufault
Excused: Representatives Kloba and Mendoza

SENATE BILL NO. 5478, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5485, by Senators Warnick, Chapman and Wilson, J.

Concerning livestock identification.

The bill was read the second time.

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

Representatives Dent and Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Senate Bill No. 5485.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5485, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dufault, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Excused: Representatives Kloba and Mendoza

SENATE BILL NO. 5485, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5323, Warnick, Lovick, Fortunato, Holy, Boehnke, Wilson, J., Schoesler, Muzzall, Dozier, Christian, Torres, Wagoner, Goehner, King, Braun, Chapman and Hasegawaby Senate Committee on Law & Justice (originally sponsored by Warnick, Lovick, Fortunato, Holy, Boehnke, Wilson, J., Schoesler, Muzzall, Dozier, Christian, Torres, Wagoner, Goehner, King, Braun, Chapman and Hasegawa)

Concerning the penalties for theft and possession of stolen property from first responders.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Community Safety was adopted. For Committee amendment, see Journal, Day 75, Friday, March 28, 2025.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Griffey, Goodman and Graham spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5323, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5323, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dufault, Dye, Engell, Entenman, Eslick,

Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Excused: Representatives Kloba and Mendoza

SUBSTITUTE SENATE BILL NO. 5323, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5245, Krishnadasan, Valdez, Nobles, Shewmake and Wilson, J.by Senate Committee on State Government, Tribal Affairs & Elections (originally sponsored by Krishnadasan, Valdez, Nobles, Shewmake and Wilson, J.)

Authorizing county commissioners to administer oaths of office to state legislators.

The bill was read the second time.

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

Representatives Duerr and Klicker spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5245.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5245, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dufault, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Excused: Representatives Kloba and Mendoza

SUBSTITUTE SENATE BILL NO. 5245, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5217, Nobles, Lovelett, Hasegawa, Liias, Riccelli, Saldaña, Salomon, Stanford, Trudeau and Wilson, C.by Senate Committee on Ways & Means (originally sponsored by Nobles, Lovelett, Hasegawa, Liias, Riccelli, Saldaña, Salomon, Stanford, Trudeau and Wilson, C.)

Expanding pregnancy-related accommodations.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Labor & Workplace Standards was before the

House for purpose of amendment. For Committee amendment, see Journal, Day 75, Friday, March 28, 2025.

Representative Caldier moved the adoption of amendment (1121) to the committee striking amendment:

On page 3, beginning on line 4 of the striking amendment, strike all of subsection (4)

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

With the consent of the House, Representative Caldier withdrew amendment (1121).

The committee striking amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Berry, Schmidt and Dufault spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5217, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5217, as amended by the House, and the bill passed the House by the following vote: Yeas, 71; Nays, 25; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Dufault, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Leavitt, Lekanoff, Maeri, Manjarrez, McClintock, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Waters, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abell, Barkis, Barnard, Chase, Connors, Corry, Couture, Dent, Dye, Engell, Eslick, Jacobsen, Keaton, Klicker, Ley, Low, Marshall, McEntire, Orcutt, Penner, Rude, Schmick, Stokesbary, Walsh and Ybarra

Excused: Representatives Kloba and Mendoza

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5217, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5412, Robinson, Chapman, Nobles and Saldaña by Senate Committee on Early Learning & K-12 Education (originally sponsored by Robinson, Chapman, Nobles and Saldaña)

Providing temporary interfund loans for school districts.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Education was before the House for purpose of amendment. For Committee amendment, see Journal, Day 80, Wednesday, April 2, 2025.

Representative Bergquist moved the adoption of amendment (1142) to the committee striking amendment:

On page 2, after line 26 of the striking amendment, insert the following:

"(3) Nothing in this section exempts or shall be construed as exempting school districts from complying with the applicable requirements of section 1, chapter . . . , Laws of 2025 (Engrossed Substitute Senate Bill 5142) when selling real property acquired through condemnation under chapter 8.16 RCW."

Representatives Bergquist and Keaton spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1142) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Callan spoke in favor of the passage of the bill.

Representative Keaton spoke against the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5412, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5412, as amended by the House, and the bill passed the House by the following vote: Yeas, 60; Nays, 36; Absent, 0; Excused, 2

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Leavitt, Lekanoff, Low, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representatives Kloba and Mendoza

SUBSTITUTE SENATE BILL NO. 5412, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5672, by Senators Muzzall, Cleveland, Chapman, Dozier and Nobles

Delaying the home care aide certification requirements.

The bill was read the second time.

Representative Schmick moved the adoption of amendment (948):

On page 3, after line 1, insert the following:

"NEW SECTION. **Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its

existing public institutions, and takes effect immediately."

Representatives Schmick and Bronoske spoke in favor of the adoption of the amendment.

Amendment (948) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Marshall and Bronoske spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Senate Bill No. 5672, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5672, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dufault, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Excused: Representatives Kloba and Mendoza

SENATE BILL NO. 5672, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5343, by Senators Short, Chapman, Dozier and Krishnadasan

Concerning the northeast Washington wolf-livestock management account.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was adopted. For Committee amendment, see Journal, Day 86, Tuesday, April 8, 2025.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Engell and Lekanoff spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Senate Bill No. 5343, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5343, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dufault, Dye, Engell, Entenman, Eslick,

Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Excused: Representatives Kloba and Mendoza

SENATE BILL NO. 5343, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5181, Wilson, C., Pedersen, Dhingra, Frame, Liias, Lovick, Nobles, Stanford, Trudeau and Wellmanby Senate Committee on Early Learning & K-12 Education (originally sponsored by Wilson, C., Pedersen, Dhingra, Frame, Liias, Lovick, Nobles, Stanford, Trudeau and Wellman)

Amending the parents rights initiative to bring it into alignment with existing law.

The bill was read the second time.

MOTION

Representative Rude moved that consideration of Engrossed Substitute Senate Bill No. 5181 be postponed indefinitely.

Representative Abell spoke in favor of the motion.

Representative Fitzgibbon spoke against of the motion.

The Speaker (Representative Stearns presiding) stated the question before the House to be the motion to indefinitely postpone consideration of Engrossed Substitute Senate Bill No. 5181.

ROLL CALL

The Clerk called the roll on the motion to indefinitely postpone consideration of Engrossed Substitute Senate Bill No. 5181 and the motion failed by the following vote: Yeas, 38; Nays, 58; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Kloba and Mendoza

There being no objection, the committee striking amendment by the Committee on Education was before the House for purpose of amendment. For Committee amendment, see Journal, Day 80, Wednesday, April 2, 2025.

Representative Keaton moved the adoption of amendment (1157) to the committee striking amendment:

On page 1, at the beginning of line 3 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that parental involvement is a crucial factor in shaping the educational outcomes of students and contributing to the well-being of society.

(2)(a) Parents are the primary stakeholders in their children's upbringing. When parents actively engage in their child's education, it enhances the student's academic performance, motivation, and overall development. Strong parental involvement also fosters a supportive learning environment, both at home and school, helping students develop confidence, resilience, and a sense of responsibility. Moreover, active participation from parents in their children's education builds a stronger school community, promotes positive behavior, and supports the creation of more equitable learning opportunities. Ultimately, when parents and schools work together, it benefits the individual student and strengthens society by nurturing educated, responsible, and engaged citizens.

(b) As used in this section, "parents" and "parental" means parents or legal guardians.

(3) The legislature, therefore, through the voter approval of Initiative Measure No. 2081, establishes the parents' bill of rights."

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

Representatives Keaton, Walsh, Marshall, Dufault and Graham spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Stonier and Santos spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1157) to the committee striking amendment was not adopted.

Representative Connors moved the adoption of amendment (1161) to the committee striking amendment:

On page 1, beginning on line 19 of the striking amendment, after "inspect" strike all material through "28A.605.030" on line 27 and insert "their child's public school records in accordance with RCW 28A.605.030, and to receive a copy of their child's records within 10 business days of submitting a written request, either electronically or on paper"

Representatives Connors and Santos spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1161) to the committee striking amendment was adopted.

Representative Barnard moved the adoption of amendment (1162) to the committee striking amendment:

On page 2, line 34 of the striking amendment, after "programs" insert "Education records also include, for children 12 years old and under and to the extent

permitted by federal law, medical and health records, and records of any mental health counseling"

Representatives Barnard, Barnard (again), Marshall, Jacobsen, Walsh, Dufault and Abell spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Stonier spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Stearns presiding) divided the House. The result was 37 - YEAS; 47 - NAYS.

Amendment (1162) to the committee striking amendment was not adopted.

The Speaker (Representative Stearns presiding) called upon Representative Timmons to preside.

Representative Jacobsen moved the adoption of amendment (1163) to the committee striking amendment:

On page 3, beginning on line 4 of the striking amendment, after "(c)" strike all material through "(f))" on line 18 and insert "To receive, for children 12 years old and under and to the extent permitted by federal law, prior notification when medical services are being offered to their child, except where emergency medical treatment is required. In cases where emergency medical treatment is required, the parent and legal guardian must be notified as soon as practicable after the treatment is rendered;

(d) To receive, for children 12 years old and under and to the extent permitted by federal law, notification when any medical service or medications have been provided to their child that could result in any financial impact to the parent's or legal guardian's health insurance payments or copays;

(e) To receive, for children 12 years old and under and to the extent permitted by federal law, notification when the school has arranged directly or indirectly for medical treatment that results in follow-up care beyond normal school hours. Follow-up care includes monitoring the child for aches and pains, medications, medical devices such as crutches, and emotional care needed for the healing process;

(f) "

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

Representatives Jacobsen, Marshall, Manjarrez, Jacobsen (again), Graham, Barnard, Marshall (again), Ybarra, Walsh, Ybarra (again), Corry and Caldier spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Thai, Donaghy and Stonier spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Timmons presiding) divided the House. The result was 39 - YEAS; 51 - NAYS.

Amendment (1163) to the committee striking amendment was not adopted.

Representative Marshall moved the adoption of amendment (1164) to the committee striking amendment:

On page 3, line 18 of the striking amendment, after "(f))" insert "To receive annual notice, as required by RCW 28A.300.286, that clearly identifies any medical service, mental health counseling, or behavioral health treatment that is made available to students, whether in person or via telemedicine, without the prior consent of the student's parent or legal guardian. This requirement applies to all such services provided on property owned, leased, or otherwise controlled by a school district;

(d)"

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

On page 7, after line 20 of the striking amendment, insert the following:

"**Sec. 3.** RCW 28A.300.286 and 2023 c 242 s 1 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall develop, and periodically update, model student handbook language that includes information about policies and complaint procedures related to discrimination, including sexual harassment and addressing transgender students, and information about policies and complaint procedures related to harassment, intimidation, and bullying, as well as the overlap between the policies and complaint procedures. The model student handbook language must also include a description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds. The model student handbook language must be aligned with existing requirements in state law including chapters 28A.640 and 28A.642 RCW and RCW 28A.600.477 and 28A.600.510. The model student handbook language must be jointly developed with the Washington state school directors' association, and in consultation with the office of the education ombuds. The model student handbook language must be posted publicly on the office of the superintendent of public instruction's website beginning July 1, 2024.

(2) Beginning with the 2024-25 school year, each school district must include the model student handbook language developed under subsection (1) of this section in any student, parent, and legal guardian, employee, and volunteer handbook that it or one of its schools publishes and on the school district's website, and any school's website, if a school or the school district maintains a website. If a school district neither publishes a handbook nor maintains a website, it must provide the model student handbook language developed under subsection (1) of this section to each student, parent, and legal guardian, employee, and volunteer at least annually.

(3) Beginning with the 2025-26 school year, each school district must, at least once annually, publish in a handbook,

maintain on its website, or provide to each student and the student's parent or legal guardian, a notice that clearly identifies any medical service, mental health counseling, or behavioral health treatment that is made available to students, whether in person or via telemedicine, without the prior consent of the student's parent or legal guardian. This requirement applies to all such services provided on property owned, leased, or otherwise controlled by a school district."

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

Representatives Marshall and Santos spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1164) to the committee striking amendment was adopted.

Representative Jacobsen moved the adoption of amendment (1155) to the committee striking amendment:

On page 3, beginning on line 35 of the striking amendment, after "To" strike all material through "(i)" on line 39 and insert "receive immediate notification if their child is taken or removed from the public school campus without parental permission, including to stay at a youth shelter or "host home" as defined in RCW 74.15.020;

((i))"

On page 4, beginning on line 2 of the striking amendment, beginning with "not" strike all material through "28A.605.010." on line 4

Representatives Jacobsen, Couture, Graham, Walsh and Corry spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Macri and Ortiz-Self spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1155) to the committee striking amendment was not adopted.

Representative Volz moved the adoption of amendment (1153) to the committee striking amendment:

On page 4, line 14 of the striking amendment, after "(h)" insert "To have their biologically female student, in accordance with RCW 28A.640.020, compete in individual and team athletic activities in a safe, fair, and equitable manner exclusively against other biologically female students;

(i)"

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

On page 7, after line 8 of the striking amendment, insert the following:

"**Sec. 2.** RCW 28A.640.020 and 2023 c 242 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop regulations and guidelines to eliminate sex discrimination

as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks and instructional materials used by students.

(a) Specifically with respect to public school employment, all schools shall be required to:

(i) Maintain credential requirements for all personnel without regard to sex;

(ii) Make no differentiation in pay scale on the basis of sex;

(iii) Assign school duties without regard to sex except where such assignment would involve duty in areas or situations, such as but not limited to a shower room, where persons might be disrobed;

(iv) Provide the same opportunities for advancement to males and females; and

(v) Make no difference in conditions of employment including, but not limited to, hiring practices, leaves of absence, hours of employment, and assignment of, or pay for, instructional and noninstructional duties, on the basis of sex.

(b) Specifically with respect to counseling and guidance services for students, they shall be made available to all students equally. All certificated personnel shall be required to stress access to all career and vocational opportunities to students without regard to sex.

(c) Specifically with respect to recreational and athletic activities, they shall, except as provided otherwise by this section, be offered to all students without regard to sex. Schools may provide separate teams for each sex. Schools which provide the following shall do so with no disparities based on sex: Equipment and supplies; medical care; services and insurance; transportation and per diem allowances; opportunities to receive coaching and instruction; laundry services; assignment of game officials; opportunities for competition, publicity and awards; scheduling of games and practice times including use of courts, gyms, and pools: PROVIDED, That such scheduling of games and practice times shall be determined by local administrative authorities after consideration of the public and student interest in attending and participating in various recreational and athletic activities. Each school which provides showers, toilets, or training room facilities for athletic purposes shall provide comparable facilities for both sexes. Such facilities may be provided either as separate facilities or shall be scheduled and used separately by each sex.

The superintendent of public instruction shall also be required to develop a student survey to distribute every three years to each local school district in the state to determine student interest for male/female participation in specific sports.

(d) Specifically with respect to course offerings, all classes shall be required to be available to all students without regard to sex: PROVIDED, That separation is permitted within any class during sessions on sex education or gym classes.

(e) Specifically with respect to textbooks and instructional materials, which

shall also include, but not be limited to, reference books and audiovisual materials, they shall be required to adhere to the guidelines developed by the superintendent of public instruction to implement the intent of this chapter: PROVIDED, That this subsection shall not be construed to prohibit the introduction of material deemed appropriate by the instructor for educational purposes.

(2) (a) By December 31, 1994, the superintendent of public instruction shall develop criteria for use by school districts in developing sexual harassment policies as required under (b) of this subsection. The criteria shall address the subjects of grievance procedures, remedies to victims of sexual harassment, disciplinary actions against violators of the policy, and other subjects at the discretion of the superintendent of public instruction. Disciplinary actions must conform with collective bargaining agreements and state and federal laws. The superintendent of public instruction also shall supply sample policies to school districts upon request.

(b) By June 30, 1995, every school district shall adopt and implement a written policy concerning sexual harassment. The policy shall apply to all school district employees, volunteers, parents, and students, including, but not limited to, conduct between students.

(c) School district policies on sexual harassment shall be reviewed by the superintendent of public instruction considering the criteria established under (a) of this subsection as part of the monitoring process established in RCW 28A.640.030.

(d) The school district's sexual harassment policy shall be conspicuously posted throughout each school building, and provided to each employee. A copy of the policy shall appear in any publication of the school or school district setting forth the rules, regulations, procedures, and standards of conduct for the school or school district. This requirement as it relates to students, parents, and guardians may be satisfied by using the model student handbook language in RCW 28A.300.286.

(e) Each school shall develop a process for discussing the district's sexual harassment policy. The process shall ensure the discussion addresses the definition of sexual harassment and issues covered in the sexual harassment policy.

(f) "Sexual harassment" as used in this section means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature if:

(i) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;

(ii) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment; or

(iii) That conduct or communication has the purpose or effect of substantially interfering with an individual's educational or work performance, or of creating an

intimidating, hostile, or offensive educational or work environment.

(3) This section does not apply to athletic activities with separate classifications for male and female students if the activity is both intended for female students and an individual or team competition activity."

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

Representatives Volz, McEntire and Graham spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Mena spoke against the adoption of the amendment to the committee striking amendment.

MOTION

On motion of Representative Leavitt, Representative Simmons was excused.

Representatives Marshall, Volz, Manjarrez, Walsh, Calder, Chase, Dye, Keaton, Ybarra, Burnett, Jacobsen and Connors spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Bergquist and Santos spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1153) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 38; Nays, 58; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Calder, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Kloba and Mendoza

Amendment (1153) to the committee striking amendment was not adopted.

Representative Griffey moved the adoption of amendment (1168) to the committee striking amendment:

On page 4, line 14 of the striking amendment, after "(h)" insert "In accordance with RCW 28A.640.020, to have their child access sex segregated locker room facilities, including showers, that are consistent with their child's biological sex, rather than an individual or special accommodation facility or location made available for their child because of a concern or complaint of the child, parent, or legal guardian.

(i)"

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

On page 7, after line 20 of the striking amendment, insert the following:

"**Sec. 3.** RCW 28A.640.020 and 2023 c 242 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall develop regulations and guidelines to eliminate sex discrimination as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks and instructional materials used by students.

(a) Specifically with respect to public school employment, all schools shall be required to:

(i) Maintain credential requirements for all personnel without regard to sex;

(ii) Make no differentiation in pay scale on the basis of sex;

(iii) Assign school duties without regard to sex except where such assignment would involve duty in areas or situations, such as but not limited to a shower room, where persons might be disrobed;

(iv) Provide the same opportunities for advancement to males and females; and

(v) Make no difference in conditions of employment including, but not limited to, hiring practices, leaves of absence, hours of employment, and assignment of, or pay for, instructional and noninstructional duties, on the basis of sex.

(b) Specifically with respect to counseling and guidance services for students, they shall be made available to all students equally. All certificated personnel shall be required to stress access to all career and vocational opportunities to students without regard to sex.

(c) Specifically with respect to recreational and athletic activities, they shall be offered to all students without regard to sex. Schools may provide separate teams for each sex. Schools which provide the following shall do so with no disparities based on sex: Equipment and supplies; medical care; services and insurance; transportation and per diem allowances; opportunities to receive coaching and instruction; laundry services; assignment of game officials; opportunities for competition, publicity and awards; scheduling of games and practice times including use of courts, gyms, and pools: PROVIDED, That such scheduling of games and practice times shall be determined by local administrative authorities after consideration of the public and student interest in attending and participating in various recreational and athletic activities. Each school which provides showers, toilets, or training room facilities for athletic purposes shall provide comparable facilities for both sexes. Such facilities may be provided either as separate facilities or shall be scheduled and used separately by each sex.

The superintendent of public instruction shall also be required to develop a student

survey to distribute every three years to each local school district in the state to determine student interest for male/female participation in specific sports.

(d) Specifically with respect to course offerings, all classes shall be required to be available to all students without regard to sex: PROVIDED, That separation is permitted within any class during sessions on sex education or gym classes.

(e) Specifically with respect to textbooks and instructional materials, which shall also include, but not be limited to, reference books and audiovisual materials, they shall be required to adhere to the guidelines developed by the superintendent of public instruction to implement the intent of this chapter: PROVIDED, That this subsection shall not be construed to prohibit the introduction of material deemed appropriate by the instructor for educational purposes.

(2)(a) By December 31, 1994, the superintendent of public instruction shall develop criteria for use by school districts in developing sexual harassment policies as required under (b) of this subsection. The criteria shall address the subjects of grievance procedures, remedies to victims of sexual harassment, disciplinary actions against violators of the policy, and other subjects at the discretion of the superintendent of public instruction. Disciplinary actions must conform with collective bargaining agreements and state and federal laws. The superintendent of public instruction also shall supply sample policies to school districts upon request.

(b) By June 30, 1995, every school district shall adopt and implement a written policy concerning sexual harassment. The policy shall apply to all school district employees, volunteers, parents, and students, including, but not limited to, conduct between students.

(c) School district policies on sexual harassment shall be reviewed by the superintendent of public instruction considering the criteria established under (a) of this subsection as part of the monitoring process established in RCW 28A.640.030.

(d) The school district's sexual harassment policy shall be conspicuously posted throughout each school building, and provided to each employee. A copy of the policy shall appear in any publication of the school or school district setting forth the rules, regulations, procedures, and standards of conduct for the school or school district. This requirement as it relates to students, parents, and guardians may be satisfied by using the model student handbook language in RCW 28A.300.286.

(e) Each school shall develop a process for discussing the district's sexual harassment policy. The process shall ensure the discussion addresses the definition of sexual harassment and issues covered in the sexual harassment policy.

(f) "Sexual harassment" as used in this section means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature if:

(i) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;

(ii) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment; or

(iii) That conduct or communication has the purpose or effect of substantially interfering with an individual's educational or work performance, or of creating an intimidating, hostile, or offensive educational or work environment.

(3)(a) Nothing in this section may be construed to deny students full access to sex segregated locker room facilities, including showers, that are consistent with their biological sex.

(b) For purposes of this subsection (3), full access does not include offering a student an individual or special accommodation facility or location in response to a concern or complaint of the student or the student's parent or legal guardian regarding access to the locker room facility by persons who are not the same biological sex as the student."

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

Representatives Griffey and Griffey (again) spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Ortiz-Self spoke against the adoption of the amendment to the committee striking amendment.

MOTION

On motion of Representative Ramel, Representative Hackney was excused.

Representatives Couture, Jacobsen, Marshall and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1168) to the committee striking amendment was not adopted.

Representative Caldier moved the adoption of amendment (1165) to the committee striking amendment:

On page 5, line 10 of the striking amendment, after "(j)" insert "To have their child, in accordance with RCW 28A.150.230, receive an education in an academic environment that is free from pornography and sexually explicit or erotic materials;

(k)"

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

On page 7, after line 8 of the striking amendment, insert the following:

"Sec. 2. RCW 28A.150.230 and 2024 c 316 s 4 are each amended to read as follows:

(1) It is the intent and purpose of this section to guarantee that each common school district board of directors, whether or not acting through its respective administrative

staff, be held accountable for the proper operation of their district to the local community and its electorate. In accordance with the provisions of this title, as now or hereafter amended, each common school district board of directors shall be vested with the final responsibility for the setting of policies ensuring quality in the content and extent of its educational program and that such program provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning.

(2) In conformance with the provisions of this title, as now or hereafter amended, it shall be the responsibility of each common school district board of directors to adopt policies to:

(a) Establish performance criteria and an evaluation process for its superintendent, classified staff, certificated personnel, including administrative staff, and for all programs constituting a part of such district's curriculum. Each district shall report annually to the superintendent of public instruction the following for each employee group listed in this subsection (2)(a): (i) Evaluation criteria and rubrics; (ii) a description of each rating; and (iii) the number of staff in each rating;

(b) Determine the final assignment of staff, certificated or classified, according to board enumerated classroom and program needs and data, based upon a plan to ensure that the assignment policy: (i) Supports the learning needs of all the students in the district; and (ii) gives specific attention to high-need schools and classrooms;

(c) Provide information to the local community and its electorate describing the school district's policies concerning hiring, assigning, terminating, and evaluating staff, including the criteria for evaluating teachers and principals;

(d) Determine the amount of instructional hours necessary for any student to acquire a quality education in such district, in not less than an amount otherwise required in RCW 28A.150.220, or rules of the state board of education;

(e) Determine the allocation of staff time, whether certificated or classified;

(f) Establish final curriculum standards consistent with law and rules of the superintendent of public instruction, relevant to the particular needs of district students or the unusual characteristics of the district, and ensuring a quality education for each student in the district; and

(g) Evaluate teaching materials, including text books, teaching aids, handouts, or other printed material, upon complaint by parents, guardians, or custodians of students who consider dissemination of such material to students objectionable in accordance with RCW 28A.320.235 and 28A.320.230.

(3)(a) Pornography and sexually explicit or erotic materials are prohibited in public schools and may not be used or made accessible to students, in any format, for any instructional purpose.

(b) Materials used for instructional purposes that may include content of a sexual nature must be pre-approved for use

by the student's parent or legal guardian. The pre-approval process, which must include sufficient time for parents or legal guardians to receive the applicable notice and review the materials, must also allow the parent or legal guardian to opt their child out of any instructional setting in which the materials are used."

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

Representatives Caldier, Orcutt, Corry, Couture, Graham, Marshall and Caldier (again) spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Stonier, Stonier (again) and Parshley spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1165) to the committee striking amendment was not adopted.

Representative Graham moved the adoption of amendment (1166) to the committee striking amendment:

On page 6, line 9 of the striking amendment, after "(g)" insert "To receive, in accordance with RCW 28A.600.477, a student safety plan for their child; (r)"

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

On page 7 of the striking amendment, after line 20 insert the following:

"Sec. 3. RCW 28A.600.477 and 2023 c 242 s 4 are each amended to read as follows:

(1)(a) By January 31, 2020, each school district must adopt or amend if necessary a policy and procedure prohibiting harassment, intimidation, and bullying of any student and that, at a minimum, incorporates the model policy and procedure described in subsection (3) of this section.

(b) School districts must share the policy and procedure prohibiting harassment, intimidation, and bullying with parents or guardians, students, volunteers, and school employees in accordance with the rules adopted by the office of the superintendent of public instruction. This requirement as it relates to students, parents, and guardians may be satisfied by using the model student handbook language in RCW 28A.300.286.

(c)(i) Each school district must develop and implement a safety plan for a student if requested in writing by the student's parent or legal guardian. The student safety plan must be developed with the input of the parent or legal guardian and must be reviewed and revised, with the input of the parent or legal guardian, as necessary.

(ii) The office of the superintendent of public instruction shall develop and post on its website a template that schools may use in satisfying the requirements of this subsection (1)(c).

(d)(i) Each school district must designate one person in the school district as the primary contact regarding the policy

and procedure prohibiting harassment, intimidation, and bullying. In addition to other duties required by law and the school district, the primary contact must:

(A) Ensure the implementation of the policy and procedure prohibiting harassment, intimidation, and bullying;

(B) Receive copies of all formal and informal complaints relating to harassment, intimidation, or bullying;

(C) Communicate with the school district employees responsible for monitoring school district compliance with chapter 28A.642 RCW prohibiting discrimination in public schools, and the primary contact regarding the school district's policies and procedures related to transgender students under RCW 28A.642.080; and

(D) Serve as the primary contact between the school district, the office of the education ombuds, and the office of the superintendent of public instruction on the policy and procedure prohibiting harassment, intimidation, and bullying.

(ii) The primary contact from each school district must attend at least one training class as provided in subsection (4) of this section, once this training is available.

(iii) The primary contact may also serve as the primary contact regarding the school district's policies and procedures relating to transgender students under RCW 28A.642.080 and the primary contact regarding school district compliance with nondiscrimination laws under RCW 28A.300.286.

(2) School districts are encouraged to adopt and update the policy and procedure prohibiting harassment, intimidation, and bullying through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives.

(3)(a) By September 1, 2019, and periodically thereafter, the Washington state school directors' association must collaborate with the office of the superintendent of public instruction to develop and update a model policy and procedure prohibiting harassment, intimidation, and bullying.

(b) Each school district must provide to the office of the superintendent of public instruction a brief summary of its policies, procedures, programs, partnerships, vendors, and instructional and training materials prohibiting harassment, intimidation, and bullying to be posted on the office of the superintendent of public instruction's school safety center website, and must also provide the office of the superintendent of public instruction with a link to the school district's website for further information. The school district's primary contact for harassment, intimidation, and bullying issues must annually by August 15th verify posted information and links and notify the school safety center of any updates or changes.

(c) The office of the superintendent of public instruction must publish on its website, with a link to the school safety center website, the revised and updated model policy and procedure prohibiting harassment, intimidation, and bullying,

along with training and instructional materials on the components that must be included in any school district policy and procedure prohibiting harassment, intimidation, and bullying. By September 1, 2019, the office of the superintendent of public instruction must adopt rules regarding school districts' communication of the policy and procedure prohibiting harassment, intimidation, and bullying to parents, students, employees, and volunteers.

(4) By December 31, 2020, the office of the superintendent of public instruction must develop a statewide training class for those people in each school district who act as the primary contact regarding the policy and procedure prohibiting harassment, intimidation, and bullying as provided in subsection (1) of this section. The training class must be offered on an annual basis by educational service districts in collaboration with the office of the superintendent of public instruction. The training class must be based on the model policy and procedure prohibiting harassment, intimidation, and bullying as provided in subsection (3) of this section and include materials related to hazing and the Washington state school directors' association model transgender student policy and procedure as provided in RCW 28A.642.080.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Electronic" means any communication where there is the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means.

(b)(i) "Harassment, intimidation, or bullying" means any intentional electronic, written, verbal, or physical act including, but not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:

(A) Physically harms a student or damages the student's property;

(B) Has the effect of substantially interfering with a student's education;

(C) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or

(D) Has the effect of substantially disrupting the orderly operation of the school.

(ii) Nothing in (b)(i) of this subsection requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying."

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

Representatives Graham and Penner spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Ortiz-Self spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1166) to the committee striking amendment was not adopted.

Representative Couture moved the adoption of amendment (1154) to the committee striking amendment:

On page 6, line 25 of the striking amendment, after "(v)" insert "To be notified, in accordance with RCW 28A.225.005, whether and under what circumstances students may excuse an absence and of the policies governing absences that may be excused by anyone other than the student's parent or legal guardian; (w)"

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

On page 7 of the striking amendment, after line 8, insert the following:

"Sec. 2. RCW 28A.225.005 and 2016 c 205 s 2 are each amended to read as follows:

(1) Each school within a school district shall inform the students and the parents of the students enrolled in the school about: The benefits of regular school attendance; the potential effects of excessive absenteeism, whether excused or unexcused, on academic achievement, and graduation and dropout rates; the school's policies governing the circumstances under which the student, or anyone other than the student's parent or legal guardian, may excuse an absence; the school's expectations of the parents and guardians to ensure regular school attendance by the child; the resources available to assist the child and the parents and guardians; the role and responsibilities of the school; and the consequences of truancy, including the compulsory education requirements under this chapter. The school shall provide access to the information before or at the time of enrollment of the child at a new school and at the beginning of each school year. If the school regularly and ordinarily communicates most other information to parents online, providing online access to the information required by this section satisfies the requirements of this section unless a parent or guardian specifically requests information to be provided in written form. Reasonable efforts must be made to enable parents to request and receive the information in a language in which they are fluent. A parent must date and acknowledge review of this information online or in writing before or at the time of enrollment of the child at a new school and at the beginning of each school year.

(2) The office of the superintendent of public instruction shall develop a template that schools may use to satisfy the requirements of subsection (1) of this section and shall post the information on its website."

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

Representative Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Santos spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1154) to the committee striking amendment was not adopted.

Representative Orcutt moved the adoption of amendment (1159) to the committee striking amendment:

On page 7, beginning on line 21 of the striking amendment, after "Sec. 3." strike all material through "immediately" on line 24 and insert "The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation"

Representatives Orcutt and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Ortiz-Self spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1159) to the committee striking amendment was not adopted.

Representative Walsh moved the adoption of amendment (1156) to the committee striking amendment:

On page 4, beginning on line 14 of the striking amendment, beginning with "((~~jj~~ ~~Te~~))" strike all material through "to" on line 15 and insert "((~~jj~~)) (h) To"

Representatives Walsh, Dufault and Walsh (again) spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Reeves spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1156) to the committee striking amendment was not adopted.

Representative Dufault moved the adoption of amendment (1158) to the committee striking amendment:

On page 7, beginning on line 6 of the striking amendment, beginning with "(4)" strike all material through "action." on line 8 and insert "((~~4~~) ~~As used in this section "public school" has the same meaning as in RCW 28A.150.010.~~))"

Representatives Dufault, Dufault (again) and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Pollet spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1158) to the committee striking amendment was not adopted.

Representative Engell moved the adoption of amendment (1160) to the committee striking amendment:

On page 7, beginning on line 21 of the striking amendment, strike all of section 3

Representatives Engell, Orcutt and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Stonier spoke against the adoption of the amendment to the committee striking amendment.

MOTION

Representative Stonier demanded the previous question and the demand was sustained.

Division was demanded and the demand was sustained. The Speaker (Representative Timmons presiding) divided the House. The result was 50 - YEAS; 37 - NAYS.

Amendment (1160) to the committee striking amendment was not adopted.

The Speaker assumed the chair.

The Speaker stated the question before the House to be the adoption of the committee striking amendment, as amended.

ROLL CALL

The Clerk called the roll on the adoption of the committee striking amendment, as amended, and the amendment was adopted by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Griffey, Hill, Hunt, Jacobsen, Keaton, Klicker, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Voting Nay: Representatives Dufault, McEntire and Walsh

Excused: Representatives Hackney, Kloba and Mendoza

The committee striking amendment, as amended, was adopted.

MOTION

Representative Stonier moved that the House advance Engrossed Substitute Senate Bill No. 5181, as amended by the House, to third reading and final passage.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute Senate Bill No. 5181, as amended by the House, to third reading and final passage, and the motion carried by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hill, Hunt, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representatives Hackney, Kloba and Mendoza

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Scott, Farivar, Santos and Stonier spoke in favor of the passage of the bill.

Representatives Volz, Eslick, Ley, Ybarra, Waters, Manjarrez, Engell, Chase, Barnard, Dufault, Jacobsen, Graham, Burnett, Dent, Corry, McEntire, Dye and Griffey spoke against the passage of the bill.

MOTION

Representative Stonier demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the demand of the previous question and the motion carried by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hill, Hunt, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representatives Hackney, Kloba and Mendoza

Representative Reeves spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

MOTION

Representative Connors moved that Engrossed Substitute Senate Bill No. 5181, as amended by the House, be laid on the table.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 38 - YEAS; 52 - NAYS.

The motion to lay Engrossed Substitute Senate Bill No. 5181, as amended by the House, on the table failed.

MOTION

Representative Connors moved that the House recommit Engrossed Substitute Senate Bill No. 5181, as amended by the House, to the committee on Education.

Representative Connors spoke in favor of the motion.

MOTION

Representative Stonier demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the demand of the previous question and the motion carried by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hill, Hunt, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representatives Hackney, Kloba and Mendoza

The motion to recommit Engrossed Substitute Senate Bill No. 5181, as amended by the House, to the committee on Education failed.

MOTION

Representative Connors moved that the rules be suspended and that Engrossed Substitute Senate Bill No. 5181, as amended by the House, be returned to second reading for the purpose of amendments.

The motion to return Engrossed Substitute Senate Bill No. 5181, as amended by the House, to second reading for the purpose of amendments failed.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5181, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5181, as amended by the House, and the bill passed the House by the following vote: Yeas, 56; Nays, 39; Absent, 0; Excused, 3

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hill, Hunt, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representatives Hackney, Kloba and Mendoza

ENGROSSED SUBSTITUTE SENATE BILL NO. 5181, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Stearns to preside.

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

MESSAGE FROM THE SENATE

Monday, April 14, 2025

Mme. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1061
SUBSTITUTE HOUSE BILL NO. 1061
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1141
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1141
SECOND SUBSTITUTE HOUSE BILL NO. 1183
SECOND SUBSTITUTE HOUSE BILL NO. 1183
SUBSTITUTE HOUSE BILL NO. 1261
SUBSTITUTE HOUSE BILL NO. 1261
SECOND SUBSTITUTE HOUSE BILL NO. 1391
SECOND SUBSTITUTE HOUSE BILL NO. 1391
ENGROSSED HOUSE BILL NO. 1602
ENGROSSED HOUSE BILL NO. 1602
SECOND SUBSTITUTE HOUSE BILL NO. 1696
SECOND SUBSTITUTE HOUSE BILL NO. 1696
HOUSE BILL NO. 1755
HOUSE BILL NO. 1755

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Monday, April 14, 2025

Mme. Speaker:

The President has signed:

SENATE BILL NO. 5021
ENGROSSED SENATE BILL NO. 5065
SUBSTITUTE SENATE BILL NO. 5074
SUBSTITUTE SENATE BILL NO. 5076
SUBSTITUTE SENATE BILL NO. 5157
ENGROSSED SUBSTITUTE SENATE BILL NO. 5202
SUBSTITUTE SENATE BILL NO. 5239
SENATE BILL NO. 5288
SENATE BILL NO. 5306
SENATE BILL NO. 5391
SENATE BILL NO. 5414
ENGROSSED SUBSTITUTE SENATE BILL NO. 5480
SUBSTITUTE SENATE BILL NO. 5493
SENATE BILL NO. 5498
SUBSTITUTE SENATE BILL NO. 5501
SENATE BILL NO. 5641
SUBSTITUTE SENATE BILL NO. 5655
SENATE BILL NO. 5656
SENATE BILL NO. 5696
SENATE BILL NO. 5764
SENATE JOINT MEMORIAL NO. 8008

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Monday, April 14, 2025

Mme. Speaker:

The President has signed:

HOUSE BILL NO. 1013
HOUSE BILL NO. 1028
SUBSTITUTE HOUSE BILL NO. 1081
SUBSTITUTE HOUSE BILL NO. 1105
SUBSTITUTE HOUSE BILL NO. 1121
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1201
HOUSE BILL NO. 1222
SUBSTITUTE HOUSE BILL NO. 1260

SECOND SUBSTITUTE HOUSE BILL NO. 1273
 ENGROSSED HOUSE BILL NO. 1279
 HOUSE BILL NO. 1287
 SUBSTITUTE HOUSE BILL NO. 1294
 SUBSTITUTE HOUSE BILL NO. 1309
 SUBSTITUTE HOUSE BILL NO. 1321
 SUBSTITUTE HOUSE BILL NO. 1325
 HOUSE BILL NO. 1327
 HOUSE BILL NO. 1355
 ENGROSSED HOUSE BILL NO. 1393
 HOUSE BILL NO. 1484

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

MESSAGE FROM THE SENATE

Monday, April 14, 2025

Mme. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1486
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1531
 HOUSE BILL NO. 1540
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1563
 ENGROSSED HOUSE BILL NO. 1609
 HOUSE BILL NO. 1636
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1644
 SUBSTITUTE HOUSE BILL NO. 1650
 SUBSTITUTE HOUSE BILL NO. 1669
 ENGROSSED HOUSE BILL NO. 1705
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1718
 HOUSE BILL NO. 1722
 ENGROSSED HOUSE BILL NO. 1747
 SUBSTITUTE HOUSE BILL NO. 1821
 HOUSE BILL NO. 1858
 SUBSTITUTE HOUSE BILL NO. 1879
 SUBSTITUTE HOUSE BILL NO. 1935
 SUBSTITUTE HOUSE BILL NO. 1967

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5009, Braun, Wellman, Bateman, Christian, Conway, Cortes, Dozier, Gildon, Harris, King, Krishnadasan, Lovelett, Nobles, Schoesler, Shewmake, Short, Slatter, Wagoner, Warnick and Wilson, J.by Senate Committee on Early Learning & K-12 Education (originally sponsored by Braun, Wellman, Bateman, Christian, Conway, Cortes, Dozier, Gildon, Harris, King, Krishnadasan, Lovelett, Nobles, Schoesler, Shewmake, Short, Slatter, Wagoner, Warnick and Wilson, J.)

Accommodating multiple vehicle types for transporting students.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 86, Tuesday, April 8, 2025.

Representative Burnett moved the adoption of amendment (1150) to the committee striking amendment:

On page 5, line 11 of the striking amendment, after "(2)" strike all material through "bus" on line 12 and insert "By no later than September 1, 2026, the superintendent of public instruction shall develop rules for drivers transporting students in a Washington state patrol-inspected school vehicle other than a school bus. A driver that exclusively transports students in such a vehicle"

Representatives Burnett and Stonier spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1150) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Burnett and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5009, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5009, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Calder, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dufault, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hill, Hunt, Jacobsen, Keaton, Klicker, Kloba, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Excused: Representatives Hackney and Mendoza

ENGROSSED SUBSTITUTE SENATE BILL NO. 5009, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5148, Bateman, Liias, Nobles and Stanfordby Senate Committee on Ways & Means (originally sponsored by Bateman, Liias, Nobles and Stanford)

Ensuring compliance with the housing element requirements of the growth management act.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was not adopted. For Committee amendment, see Journal, Day 86, Tuesday, April 8, 2025.

Representative Connors moved the adoption of the striking amendment (1167):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 36.70A RCW to read as follows:

(1) A county or city that is required or chooses to plan under RCW 36.70A.040 may submit their housing element required under RCW 36.70A.070(2) and any housing development regulations adopted or amended on or after the effective date of this section to the department for review to determine whether the housing element or housing development regulations comply with the laws and regulations identified in subsection (7) of this section.

(2)(a) Not less than 120 days prior to applying for approval of a housing element, the county or city must notify the department in writing that it intends to apply for approval under subsection (1) of this section. The department shall review proposed housing elements prior to final adoption and advise the county or city of the actions necessary to receive approval.

(b) Prior to advising the county or city of the actions necessary to receive approval under (a) of this subsection, the department, along with the county or city, may consult with other relevant state agencies in making its determination.

(c) Prior to advising the county or city of the actions necessary to receive approval under (a) of this subsection, the department, along with the county or city, may consult with housing providers, developers, and builders that are located in or have completed work in the county or city.

(d) The department shall publish notice in the Washington state register that a city or county has notified the department of its intent to apply for approval and the department shall post a copy of the notice on the department website.

(3)(a) A county or city submitting a housing element or housing development regulation for review under subsection (1) of this section must submit its application to the department within 10 days after any final action to amend, repeal, or replace the housing element or housing development regulations.

(b) Notwithstanding subsection (1) of this section, the department may review housing development regulations adopted or amended before the effective date of this section if amendments to those regulations are necessary to implement the housing element or any laws and regulations identified in subsection (7) of this section.

(4) Notwithstanding RCW 36.70A.320(1), a housing element or housing development regulation subject to review under this section does not take effect until the department issues a final decision determining that the housing element or housing development regulation complies with the laws and regulations identified in subsection (7) of this section.

(5)(a) An application for review must include, at a minimum, the following:

(i) A cover letter from the legislative authority requesting review of the housing element or housing development regulations;

(ii) A copy of the adopted ordinance or resolution taking the legislative action or actions required to adopt the housing element or housing development regulations;

(iii) A statement explaining how the adopted housing element or housing development regulations comply with the laws and regulations identified in subsection (7) of this section; and

(iv) A copy of the record developed by the city or county at any public meeting or public hearing at which action was taken on the housing element or housing development regulations.

(b) For the purposes of this subsection, "action" and "meeting" have the same meanings as in RCW 42.30.020.

(6)(a) Within 90 days of the date of receipt of an application, the department shall issue a decision determining whether the housing element and any housing development regulations comply with the laws and regulations identified in subsection (7) of this section. The department may extend the review period with written agreement of the city or county.

(b) The department must issue its decision in the form of a written statement, including findings of fact and conclusions, and noting the date of the issuance of its decision. The department's issued decision must conspicuously and plainly state that it is the department's final decision. In issuing a decision that finds that a city's or county's housing element and any housing development regulations are not in compliance with the laws and regulations identified in subsection (7) of this section, the department must demonstrate that the city's or county's housing element or development regulations are clearly erroneous.

(c) The department shall promptly publish its decision as follows:

(i) Notify the city or county in writing of its decision;

(ii) Publish a notice of action in the Washington state register;

(iii) Post a notice of its decision on the agency website; and

(iv) Notify other relevant state agencies regarding the decision.

(7)(a) The department shall issue a determination of compliance for a housing element or housing development regulation unless it finds that the housing element or housing development regulation is not consistent with any of the following laws and regulations:

(i) The housing planning goal set forth in RCW 36.70A.020(4);

(ii) The housing element requirements set forth in RCW 36.70A.070(2);

(iii) Any relevant rules adopted by the department;

(iv) Any relevant state environmental policy act requirements in chapter 43.21C RCW;

(v) The county's or city's comprehensive plan;

(vi) Emergency shelters, transitional housing, emergency housing, and permanent

supportive housing requirements in RCW 35.21.683 and 35A.21.430;

(vii) Co-living housing requirements in RCW 36.70A.535;

(viii) Density bonuses required in RCW 36.70A.545;

(ix) Parking requirements in RCW 36.70A.620 and 36.70A.622; or

(x) Housing requirements in RCW 36.70A.115, 36.70A.635, 36.70A.636, 36.70A.637, 36.70A.638, 36.70A.680, 36.70A.681, 36.70A.682, 36.70A.696, 36.70A.697, 36.70A.698, and 36.70A.699.

(b) Within six months of the effective date of this section, the department shall publish a defined set of minimum objective standards that jurisdictions must meet in order to comply with this section.

(8)(a) The department shall publish and regularly update a local government compliance list that includes, at minimum, the following information for each city or county:

(i) Whether the city or county is subject to a targeted review under subsection (9) of this section;

(ii) Whether the city or county has applied for a determination of compliance and, if so, the date of the application; and

(iii) Whether the department has issued a decision on compliance for the city or county and, if so, the nature of the decision, the date that the decision was issued, and the status or outcome of any appeals.

(b) The local government compliance list must be made publicly available on the department's website.

(9)(a)(i) A city or county that is required or chooses to plan under RCW 36.70A.040 must submit its housing element required under RCW 36.70A.070(2) and any housing development regulations adopted or amended on or after the effective date of this section to the department for review in accordance with this section if the department selects the city or county for targeted review under this subsection. The department may select up to 10 cities or counties for targeted review each calendar year and must prioritize selections for review based on criteria including, but not limited to, the following:

(A) The city or county has not planned for and accommodated for its portion of the countywide housing need determined by the county;

(B) The city's or county's housing production is less than 50 percent of the annual housing being produced within the county or regional council area, as applicable, adjusted by population;

(C) The city's or county's housing production consists of greater than 80 percent single-family homes aimed at primarily households whose income is at or greater than 120 percent of the median household income adjusted for household size for the city or county where the household is located.

(ii) Upon selection for review, the department must notify any selected cities or counties within 10 days.

(iii) During review of a city or county under this subsection, the department may consult with housing developers and builders

that are located in or have completed work in the city or county.

(b)(i) If the department determines that a city or county subject to targeted review under this subsection is not in compliance with the laws and regulations identified in subsection (7) of this section, the department shall notify the city or county of the deficiencies identified and propose amendments to correct any deficiencies. The city or county has 120 days to amend its housing element and any relevant housing development regulations to address any deficiencies noted by the department in its decision issued under subsection (6)(a) of this section and must submit any amendments to its housing element or housing development regulations to the department in the same manner of the initial application for review under subsection (5)(a) of this section. The department may extend the 120-day correction period with written agreement of the city or county.

(ii) If the department determines that a housing element or housing development regulation amended under (b)(i) of this subsection does not comply with the laws and regulations identified in subsection (7) of this section, the city or county is subject to the requirements of subsection (11) of this section.

(10) The department's decision on compliance, including subsequent reviews under subsection (9)(b) of this section, and any housing element or housing development regulations subject to review under this section, may be appealed to the growth management hearings board by filing a petition as provided in RCW 36.70A.290.

(11)(a) A noncompliant city or county may not deny an affordable or moderate-income housing development, or approve an affordable or moderate-income housing development with conditions or restrictions that have a substantial adverse impact on the viability of the development or the degree of affordability of the development unless at least one of the following conditions is met:

(i) The city or county has received a final decision from the department determining that its housing element and any housing development regulations comply with the laws and regulations identified in subsection (7) of this section;

(ii) The denial of the affordable or moderate-income housing development, or the approval of the affordable or moderate-income housing development with conditions or restrictions that have a substantial adverse impact on the viability of the development or the degree of affordability of the development, is required in order to comply with specific state or federal law;

(iii) The affordable or moderate-income housing development or proposed development site is located outside an urban growth area, in a critical area, in a critical area buffer, or in an area where residential uses are not allowed by the applicable shoreline master program; or

(iv) The affordable or moderate-income housing development or proposed development site is located in an area where neither the local jurisdiction's comprehensive plan nor

zoning ordinance permits residential or mixed uses.

(b) The county or city must require the developer of an affordable or moderate-income housing development to include legally binding, enforceable restrictions on the development, recorded as a covenant or deed restriction, to ensure that the following measures of affordability are met for a minimum 25-year period:

(i) At least 20 percent of the units are affordable housing as defined in RCW 36A.70A.030;

(ii) At least 50 percent of the units are workforce housing; or

(iii) All of the units are moderate-income housing as defined in RCW 36.70A.030.

(c) The county or city must periodically audit compliance with the restrictions or provide another mechanism to ensure that the units committed to affordable or workforce housing meet the measures of affordability described in (b) of this subsection during the agreed term.

(d) For the purposes of this subsection, "noncompliant city or county" means a city or county subject to targeted review under subsection (9) of this section that:

(i) Does not take amendatory actions under subsection (9)(b)(i) of this section following a determination from the department that the city's or county's housing element or housing development regulations do not comply with the laws and regulations identified in subsection (7) of this section; or

(ii) Has a housing element or housing development regulation that does not comply with the laws and regulations identified in subsection (7) of this section as determined by the department under subsection (9)(b)(ii) of this section or, if appealed, the board under RCW 36.70A.290(3)(b).

(12) A city or county may not be required to submit their housing element or housing development regulations for department review and compliance under this section as a condition of eligibility or prioritization for funds or other programs and opportunities unless a city or county is required to submit their housing element or housing development regulations under subsection (9)(a)(i) of this section.

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

(14) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Workforce housing" means housing with monthly costs, including utilities other than telephone, that do not exceed 30 percent of the monthly income of a household whose income is:

(i) For a rental: At or below 80 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development;

(ii) For ownership: At or below 100 percent of the median household income adjusted for household size, for the county where the household is located, as reported

by the United States department of housing and urban development.

(c) "Moderate-income housing" has the same meaning as "moderate-income household" in RCW 36.70A.030.

(d) "Housing development regulations" means any development regulations related to the housing element requirements under RCW 36.70A.070(2) including, but not limited to, development regulations related to affordable housing, middle housing, co-living housing, accessory dwelling units, emergency shelters, transitional housing, emergency housing, permanent supportive housing, conversions of nonresidential buildings to residential use, and any zoning maps and zoning districts.

Sec. 2. RCW 36.70A.280 and 2023 c 334 s 7, 2023 c 332 s 6, and 2023 c 228 s 7 are each reenacted and amended to read as follows:

(1) The growth management hearings board shall hear and determine only those petitions alleging either:

(a) That, except as provided otherwise by this subsection, a state agency, county, or city planning under this chapter is not in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption of shoreline master programs or amendments thereto, or chapter 43.21C RCW as it relates to plans, development regulations, or amendments, adopted under RCW 36.70A.040 or chapter 90.58 RCW. Nothing in this subsection authorizes the board to hear petitions alleging noncompliance based on a city or county's actions taken to implement the requirements of RCW 36.70A.680 and 36.70A.681 within an urban growth area;

(b) That the 20-year growth management planning population projections adopted by the office of financial management pursuant to RCW 43.62.035 should be adjusted;

(c) That the approval of a work plan adopted under RCW 36.70A.735(1)(a) is not in compliance with the requirements of the program established under RCW 36.70A.710;

(d) That regulations adopted under RCW 36.70A.735(1)(b) are not regionally applicable and cannot be adopted, wholly or partially, by another jurisdiction;

(e) That a department certification under RCW 36.70A.735(1)(c) is erroneous;

(f) That the department's final decision to approve or reject a proposed greenhouse gas emissions reduction subelement or amendments by a local government planning under RCW 36.70A.040 was not in compliance with the joint guidance issued by the department pursuant to RCW 70A.45.120; ((or))

(g) That the department's final decision to approve or reject actions by a city implementing RCW 36.70A.635 is clearly erroneous; or

(h) That the department's determination of compliance of a housing element and any related housing development regulations under section 1 of this act is clearly erroneous.

(2) A petition may be filed only by: (a) The state, or a county or city that plans under this chapter; (b) a person who has participated orally or in writing before the

county or city regarding the matter on which a review is being requested; (c) a person who is certified by the governor within 60 days of filing the request with the board; or (d) a person qualified pursuant to RCW 34.05.530.

(3) For purposes of this section, "person" means any individual, partnership, corporation, association, state agency, governmental subdivision or unit thereof, or public or private organization or entity of any character.

(4) To establish participation standing under subsection (2)(b) of this section, a person must show that his or her participation before the county or city was reasonably related to the person's issue as presented to the board.

(5) When considering a possible adjustment to a growth management planning population projection prepared by the office of financial management, the board shall consider the implications of any such adjustment to the population forecast for the entire state.

The rationale for any adjustment that is adopted by the board must be documented and filed with the office of financial management within ten working days after adoption.

If adjusted by the board, a county growth management planning population projection shall only be used for the planning purposes set forth in this chapter and shall be known as the "board adjusted population projection." None of these changes shall affect the official state and county population forecasts prepared by the office of financial management, which shall continue to be used for state budget and planning purposes.

Sec. 3. RCW 36.70A.290 and 2011 c 277 s 1 are each amended to read as follows:

(1) All requests for review to the growth management hearings board shall be initiated by filing a petition that includes a detailed statement of issues presented for resolution by the board. The board shall render written decisions articulating the basis for its holdings. The board shall not issue advisory opinions on issues not presented to the board in the statement of issues, as modified by any prehearing order.

(2) All petitions relating to whether or not an adopted comprehensive plan, development regulation, or permanent amendment thereto, is in compliance with the goals and requirements of this chapter or chapter 90.58 or 43.21C RCW must be filed within sixty days after publication as provided in (a) through ~~((e))~~ (d) of this subsection.

(a) Except as provided in (c) and (d) of this subsection, the date of publication for a city shall be the date the city publishes the ordinance, or summary of the ordinance, adopting the comprehensive plan or development regulations, or amendment thereto, as is required to be published.

(b) Promptly after adoption, a county shall publish a notice that it has adopted the comprehensive plan or development regulations, or amendment thereto.

Except as provided in (c) and (d) of this subsection, for purposes of this section the date of publication for a county shall be the date the county publishes the notice that it has adopted the comprehensive plan or development regulations, or amendment thereto.

(c) For local governments planning under RCW 36.70A.040, promptly after approval or disapproval of a local government's shoreline master program or amendment thereto by the department of ecology as provided in RCW 90.58.090, the department of ecology shall publish a notice that the shoreline master program or amendment thereto has been approved or disapproved. For purposes of this section, the date of publication for the adoption or amendment of a shoreline master program is the date the department of ecology publishes notice that the shoreline master program or amendment thereto has been approved or disapproved.

(d) For purposes of this section, the date of publication for a housing element and any housing development regulations submitted to the department for review under section 1 of this act is the date the department publishes its final decision on compliance in the Washington State Register or on the department's website, whichever is later.

(3)(a) All petitions relating to whether the department's final decision under section 1 of this act is clearly erroneous must be filed within 60 days after the department publishes its final decision in the Washington State Register or on the department's website, whichever is later.

(b) A decision of the board concerning an appeal of the department's final decision under section 1 of this act must be based solely on whether the relevant housing element or housing development regulations comply with the laws and regulations identified in section 1(7) of this act.

(4) Unless the board dismisses the petition as frivolous or finds that the person filing the petition lacks standing, or the parties have filed an agreement to have the case heard in superior court as provided in RCW 36.70A.295, the board shall, within ten days of receipt of the petition, set a time for hearing the matter.

~~((4))~~ (5) The board shall base its decision on the record developed by the city, county, or the state and supplemented with additional evidence if the board determines that such additional evidence would be necessary or of substantial assistance to the board in reaching its decision.

~~((5))~~ (6) The board, shall consolidate, when appropriate, all petitions involving the review of the same comprehensive plan or the same development regulation or regulations.

Sec. 4. RCW 36.70A.320 and 2023 c 228 s 8 are each amended to read as follows:

(1) Except as provided in subsections (5) ~~((and (6)))~~ through (7) of this section, comprehensive plans and development regulations, and amendments thereto, adopted under this chapter are presumed valid upon adoption.

(2) Except as otherwise provided in subsection (4) of this section, the burden is on the petitioner to demonstrate that any action taken by a state agency, county, or city under this chapter is not in compliance with the requirements of this chapter.

(3) In any petition under this chapter, the board, after full consideration of the petition, shall determine whether there is compliance with the requirements of this chapter. In making its determination, the board shall consider the criteria adopted by the department under RCW 36.70A.190(4). The board shall find compliance unless it determines that the action by the state agency, county, or city is clearly erroneous in view of the entire record before the board and in light of the goals and requirements of this chapter.

(4) A county or city subject to a determination of invalidity made under RCW 36.70A.300 or 36.70A.302 has the burden of demonstrating that the ordinance or resolution it has enacted in response to the determination of invalidity will no longer substantially interfere with the fulfillment of the goals of this chapter under the standard in RCW 36.70A.302(1).

(5) The shoreline element of a comprehensive plan and the applicable development regulations adopted by a county or city shall take effect as provided in chapter 90.58 RCW.

(6) The greenhouse gas emissions reduction subelement required by RCW 36.70A.070 shall take effect as provided in RCW 36.70A.096.

(7) Any housing element and any housing development regulations subject to review under section 1 of this act take effect as provided in section 1 of this act.

Sec. 5. RCW 36.70A.130 and 2024 c 17 s 1 are each amended to read as follows:

(1)(a) Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them. Except as otherwise provided, a county or city shall take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the requirements of this chapter according to the deadlines in subsections (4) and (5) of this section.

(b)(i) A city or town located within a county planning under RCW 36.70A.040 may opt out of a full review and revisions of its comprehensive plan established in this section if the city or town meets the following criteria:

(A) Has a population fewer than 500;

(B) Is not located within 10 miles of a city with a population over 100,000;

(C) Experienced a population growth rate of fewer than 10 percent in the preceding 10 years; and

(D) Has provided the department with notice of its intent to participate in a partial review and revision of its comprehensive plan.

(ii) The department shall review the population growth rate for a city or town participating in the partial review and

revision of its comprehensive plan process at least three years before the periodic update is due as outlined in subsection (4) of this section and notify cities of their eligibility.

(iii) A city or town that opts out of a full review and revision of its comprehensive plan must update its critical areas regulations and its capital facilities element and its transportation element.

(c) Except as otherwise provided, a county or city not planning under RCW 36.70A.040 shall take action to review and, if needed, revise its policies and development regulations regarding critical areas and natural resource lands adopted according to this chapter to ensure these policies and regulations comply with the requirements of this chapter according to the deadlines in subsections (4) and (5) of this section. Legislative action means the adoption of a resolution or ordinance following notice and a public hearing indicating at a minimum, a finding that a review and evaluation has occurred and identifying the revisions made, or that a revision was not needed and the reasons therefor.

(d) The review and evaluation required by this subsection shall include, but is not limited to, consideration of critical area ordinances and, if planning under RCW 36.70A.040, an analysis of the population allocated to a city or county from the most recent 10-year population forecast by the office of financial management.

(e) Any amendment of or revision to a comprehensive land use plan shall conform to this chapter. Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan.

(2)(a) Each county and city shall establish and broadly disseminate to the public a public participation program consistent with RCW 36.70A.035 and 36.70A.140 that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year. "Updates" means to review and revise, if needed, according to subsection (1) of this section, and the deadlines in subsections (4) and (5) of this section or in accordance with the provisions of subsection (6) of this section. Amendments may be considered more frequently than once per year under the following circumstances:

(i) The initial adoption of a subarea plan. Subarea plans adopted under this subsection (2)(a)(i) must clarify, supplement, or implement jurisdiction-wide comprehensive plan policies, and may only be adopted if the cumulative impacts of the proposed plan are addressed by appropriate environmental review under chapter 43.21C RCW;

(ii) The development of an initial subarea plan for economic development located outside of the 100 year floodplain in a county that has completed a state-funded pilot project that is based on watershed characterization and local habitat assessment;

(iii) The adoption or amendment of a shoreline master program under the procedures set forth in chapter 90.58 RCW;

(iv) The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget; ~~((or))~~

(v) The adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.440, provided that amendments are considered in accordance with the public participation program established by the county or city under this subsection (2)(a) and all persons who have requested notice of a comprehensive plan update are given notice of the amendments and an opportunity to comment; or

(vi) The adoption or amendment of any housing element necessary to receive a determination of compliance under section 1 of this act.

(b) Except as otherwise provided in (a) of this subsection, all proposals shall be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with the growth management hearings board or with the court.

(3)(a) Each county that designates urban growth areas under RCW 36.70A.110 shall review, according to the schedules established in subsections (4) and (5) of this section, its designated urban growth area or areas, patterns of development occurring within the urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.

(b) The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding 20-year period. The review required by this subsection may be combined with the review and evaluation required by RCW 36.70A.215.

(c) If, during the county's review under (a) of this subsection, the county determines revision of the urban growth area is not required to accommodate the urban growth projected to occur in the county for the succeeding 20-year period, but does determine that patterns of development have created pressure in areas that exceed available, developable lands within the urban growth area, the urban growth area or areas may be revised to accommodate identified patterns of development and

likely future development pressure for the succeeding 20-year period if the following requirements are met:

(i) The revised urban growth area may not result in an increase in the total surface areas of the urban growth area or areas;

(ii) The areas added to the urban growth area are not or have not been designated as agricultural, forest, or mineral resource lands of long-term commercial significance;

(iii) Less than 15 percent of the areas added to the urban growth area are critical areas;

(iv) The areas added to the urban growth areas are suitable for urban growth;

(v) The transportation element and capital facility plan element have identified the transportation facilities, and public facilities and services needed to serve the urban growth area and the funding to provide the transportation facilities and public facilities and services;

(vi) The urban growth area is not larger than needed to accommodate the growth planned for the succeeding 20-year planning period and a reasonable land market supply factor;

(vii) The areas removed from the urban growth area do not include urban growth or urban densities; and

(viii) The revised urban growth area is contiguous, does not include holes or gaps, and will not increase pressures to urbanize rural or natural resource lands.

(4) Except as otherwise provided in subsections (6) and (8) of this section, counties and cities shall take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of this chapter as follows:

(a) On or before June 30, 2015, for King, Pierce, and Snohomish counties and the cities within those counties;

(b) On or before June 30, 2016, for Clallam, Clark, Island, Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom counties and the cities within those counties;

(c) On or before June 30, 2017, for Benton, Chelan, Cowlitz, Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and the cities within those counties; and

(d) On or before June 30, 2018, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties.

(5) Except as otherwise provided in subsections (6) and (8) of this section, following the review of comprehensive plans and development regulations required by subsection (4) of this section, counties and cities shall take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of this chapter as follows:

(a) Except as provided in subsection (10) of this section, on or before December 31, 2024, with the following review and, if needed, revision on or before June 30, 2034,

and then every 10 years thereafter, for King, Kitsap, Pierce, and Snohomish counties and the cities within those counties;

(b) On or before December 31, 2025, with the following review and, if needed, revision on or before June 30, 2035, and then every 10 years thereafter, for Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan, Skagit, Thurston, and Whatcom counties and the cities within those counties;

(c) On or before June 30, 2026, and every 10 years thereafter, for Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania, Spokane, Walla Walla, and Yakima counties and the cities within those counties; and

(d) On or before June 30, 2027, and every 10 years thereafter, for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, and Whitman counties and the cities within those counties.

(6)(a) Nothing in this section precludes a county or city from conducting the review and evaluation required by this section before the deadlines established in subsections (4) and (5) of this section. Counties and cities may begin this process early and may be eligible for grants from the department, subject to available funding, if they elect to do so.

(b) A county that is subject to a deadline established in subsection (5)(b) through (d) of this section and meets the following criteria may comply with the requirements of this section at any time within the 24 months following the deadline established in subsection (5) of this section: The county has a population of less than 50,000 and has had its population increase by no more than 17 percent in the 10 years preceding the deadline established in subsection (5) of this section as of that date.

(c) A city that is subject to a deadline established in subsection (5)(b) through (d) of this section and meets the following criteria may comply with the requirements of this section at any time within the 24 months following the deadline established in subsection (5) of this section: The city has a population of no more than 5,000 and has had its population increase by the greater of either no more than 100 persons or no more than 17 percent in the 10 years preceding the deadline established in subsection (5) of this section as of that date.

(d) State agencies are encouraged to provide technical assistance to the counties and cities in the review of critical area ordinances, comprehensive plans, and development regulations.

(7)(a) The requirements imposed on counties and cities under this section shall be considered "requirements of this chapter" under the terms of RCW 36.70A.040(1). Only those counties and cities that meet the following criteria may receive grants, loans, pledges, or financial guarantees under chapter 43.155 or 70A.135 RCW:

(i) ~~((Complying))~~ The county or city is in compliance with the deadlines in this section; ((or))

~~((Demonstrating))~~ The county or city demonstrates substantial progress towards compliance with the ((schedules)) deadlines in this section for development regulations that protect critical areas. ((or)) For the purposes of this subsection (7)(a)(ii), a county or city that is fewer than 12 months out of compliance with the ((schedules)) deadlines in this section for development regulations that protect critical areas is making substantial progress towards compliance with the deadlines in this section; or

((iii)) The county or city demonstrates substantial progress towards compliance with the deadlines in this section for any housing element and any housing development regulations required to be submitted to the department for review under section 1 of this act. For the purposes of this subsection (7)(a)(iii), a county or city that applies to the department for review within the timelines specified under section 1 of this act demonstrates substantial progress towards compliance with the deadlines in this section and is eligible for grants, loans, pledges, or financial guarantees under chapter 43.155 or 70A.135 RCW until the department or the growth management hearings board issues a final decision determining that the county's or city's housing element or any related housing development regulations are not in compliance with the laws and regulations identified in section 1(7) of this act.

((b)) Only those counties and cities in compliance with the schedules in this section may receive preference for grants or loans subject to the provisions of RCW 43.17.250.

((8)(a)) Except as otherwise provided in (c) of this subsection, if a participating watershed is achieving benchmarks and goals for the protection of critical areas functions and values, the county is not required to update development regulations to protect critical areas as they specifically apply to agricultural activities in that watershed.

((b)) A county that has made the election under RCW 36.70A.710(1) may only adopt or amend development regulations to protect critical areas as they specifically apply to agricultural activities in a participating watershed if:

((i)) A work plan has been approved for that watershed in accordance with RCW 36.70A.725;

((ii)) The local watershed group for that watershed has requested the county to adopt or amend development regulations as part of a work plan developed under RCW 36.70A.720;

((iii)) The adoption or amendment of the development regulations is necessary to enable the county to respond to an order of the growth management hearings board or court;

((iv)) The adoption or amendment of development regulations is necessary to address a threat to human health or safety; or

((v)) Three or more years have elapsed since the receipt of funding.

((c)) Beginning 10 years from the date of receipt of funding, a county that has made the election under RCW 36.70A.710(1) must

review and, if necessary, revise development regulations to protect critical areas as they specifically apply to agricultural activities in a participating watershed in accordance with the review and revision requirements and timeline in subsection (5) of this section. This subsection (8)(c) does not apply to a participating watershed that has determined under RCW 36.70A.720(2)(c) (ii) that the watershed's goals and benchmarks for protection have been met.

(9)(a) Counties subject to planning deadlines established in subsection (5) of this section that are required or that choose to plan under RCW 36.70A.040 and that meet either criteria of (a)(i) or (ii) of this subsection, and cities with a population of more than 6,000 as of April 1, 2021, within those counties, must provide to the department an implementation progress report detailing the progress they have achieved in implementing their comprehensive plan five years after the review and revision of their comprehensive plan. Once a county meets the criteria in (a)(i) or (ii) of this subsection, the implementation progress report requirements remain in effect thereafter for that county and the cities therein with populations greater than 6,000 as of April 1, 2021, even if the county later no longer meets either or both criteria. A county is subject to the implementation progress report requirement if it meets either of the following criteria on or after April 1, 2021:

(i) The county has a population density of at least 100 people per square mile and a population of at least 200,000; or

(ii) The county has a population density of at least 75 people per square mile and an annual growth rate of at least 1.75 percent as determined by the office of financial management.

(b) The department shall adopt guidelines for indicators, measures, milestones, and criteria for use by counties and cities in the implementation progress report that must cover:

(i) The implementation of previously adopted changes to the housing element and any effect those changes have had on housing affordability and availability within the jurisdiction;

(ii) Permit processing timelines; and

(iii) Progress toward implementing any actions required to achieve reductions to meet greenhouse gas and vehicle miles traveled requirements as provided for in any element of the comprehensive plan under RCW 36.70A.070.

(c) If a city or county required to provide an implementation progress report under this subsection (9) has not implemented any specifically identified regulations, zoning and land use changes, or taken other legislative or administrative action necessary to implement any changes in the most recent periodic update in their comprehensive plan by the due date for the implementation progress report, the city or county must identify the need for such action in the implementation progress report. Cities and counties must adopt a work plan to implement any necessary regulations, zoning and land use changes, or take other legislative or administrative

action identified in the implementation progress report and complete all work necessary for implementation within two years of submission of the implementation progress report.

(10) Any county or city that is required by RCW 36.70A.095 to include in its comprehensive plan a climate change and resiliency element and that is also required by subsection (5)(a) of this section to review and, if necessary, revise its comprehensive plan on or before December 31, 2024, must update its transportation element and incorporate a climate change and resiliency element into its comprehensive plan as part of the first implementation progress report required by subsection (9) of this section if funds are appropriated and distributed by December 31, 2027, as required under RCW 36.70A.070(10).

Sec. 6. RCW 43.21C.495 and 2023 c 334 s 6 and 2023 c 332 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 are not subject to administrative or judicial appeals under this chapter.

(4) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions by a city or county to implement the housing element requirements set forth in RCW 36.70A.070(2) are not subject to administrative or judicial appeals under this chapter.

NEW SECTION. Sec. 7. A new section is added to chapter 36.70A RCW to read as follows:

The state, through the department and the attorney general, shall represent its interest before agencies of the United States, interstate agencies, and the courts with regard to comprehensive plans, regulations, activities, or uses approved under this act. Where federal or interstate agency plans, activities, or procedures conflict with state policies, all reasonable

steps available shall be taken by the state to preserve the integrity of its policies.

NEW SECTION. **Sec. 8.** This act may be known and cited as the housing accountability act.

NEW SECTION. **Sec. 9.** 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."

Correct the title.

Representatives Connors and Peterson spoke in favor of the adoption of the striking amendment.

The striking amendment (1167) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Peterson and Low spoke in favor of the passage of the bill.

Representative Dufault spoke against the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5148, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5148, as amended by the House, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1

Voting Yea: Representatives Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Connors, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Marshall, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Wylie, Ybarra, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Chase, Corry, Dent, Dufault, Dye, Engell, Eslick, Keaton, Ley, Manjarrez, McClintock, McEntire, Penner, Schmick, Schmidt, Walsh and Waters

Excused: Representative Mendoza

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5148, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5419, Lovick, Muzzall, Nobles and Shewmakeby Senate Committee on Business, Financial Services & Trade (originally sponsored by Lovick, Muzzall, Nobles and Shewmake)

Modifying reports of fire losses.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Consumer Protection & Business was before the House for purpose of amendment. For Committee amendment, see Journal, Day 80, Wednesday, April 2, 2025.

Representative Pollet moved the adoption of amendment (1077) to the committee striking amendment:

On page 5, line 22 of the striking amendment, after "matters." insert "Nothing in this section prohibits the insurance commissioner from preparing and publishing reports, analysis, or other documents using the data received under subsection (1) and (2) of this section so long as the data in the reports is in the aggregate form and does not permit the identification of information related to individual companies or consumers. Data in the aggregate form are deemed open records available for public inspection."

On page 6, after line 33 of the striking amendment, insert the following:

"(5) Beginning 12 months after the reporting requirements in subsections (1) and (2) of this section are initiated, the insurance commissioner shall post a quarterly report on their website based on the aggregate findings by zip code of the previous 12 months of reports of fire loss or damage as required by subsection (1) and (2) of this section."

Representatives Pollet and Abbarno spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1077) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Griffey and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5419, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5419, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Chase, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Kloba, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Voting Nay: Representatives Corry and Dufault

Excused: Representative Mendoza

SUBSTITUTE SENATE BILL NO. 5419, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5232,
Wilson, C., Frame, Harris, Hasegawa, Nobles and Saldaña
Senate Committee on Human Services (originally sponsored by
Wilson, C., Frame, Harris, Hasegawa, Nobles and Saldaña)**

**Supporting economic security by updating provisions
related to the home security fund and the essential needs and
housing support program.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Early Learning & Human Services was not adopted. For Committee amendment, see Journal, Day 71, Monday, March 24, 2025.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 86, Tuesday, April 8, 2025.

Representative Burnett moved the adoption of amendment (1151) to the committee striking amendment:

On page 13, beginning on line 26 of the striking amendment, after "(b)" strike all material through "~~(d)~~" on line 36 and insert "Are citizens or aliens lawfully admitted for permanent residence or otherwise residing in the United States under color of law, or are victims of human trafficking as defined in RCW 74.04.005;

(c) (i) Have furnished the department with their social security number. If the social security number cannot be furnished because it has not been issued or is not known, an application for a number must be made prior to authorization of benefits, and the social security number must be provided to the department upon receipt;

(ii) This requirement does not apply to victims of human trafficking as defined in RCW 74.04.005 if they have not been issued a social security number;

(d) "

On page 14, at the beginning of line 4 of the striking amendment, strike "~~((e))~~" (c) and insert "(e) "

On page 14, at the beginning of line 6 of the striking amendment, strike "~~((f))~~" (d) and insert "(f) "

On page 17, line 26 of the striking amendment, after "74.04.805(1)" strike "~~((d) and (e))~~" (b) and (c) and insert "(d) and (e) "

Representative Burnett spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Macri spoke against the adoption of the amendment to the committee striking amendment.

Amendment (1151) to the committee striking amendment was not adopted.

The committee striking amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Cortes spoke in favor of the passage of the bill.

Representatives Couture and Walsh spoke against the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5232, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5232, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representative Mendoza

ENGROSSED SUBSTITUTE SENATE BILL NO. 5232, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5317, by Senators Goehner,
Chapman, Christian, Dozier, Boehnke, Lovelett and Wilson, J.**

**Exempting local governments providing certain services
for projects under the jurisdiction of the energy facility siting
evaluation council from certain appeals.**

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Environment & Energy was before the House for purpose of amendment. For Committee amendment, see Journal, Day 73, Wednesday, March 26, 2025.

With the consent of the House, amendment (1109) was withdrawn.

Representative Low moved the adoption of amendment (1152) to the committee striking amendment:

Beginning on page 1, line 3, strike all material through "chapter." on page 5, line 28 and insert the following:

"Sec. 1. RCW 80.50.120 and 1977 ex.s. c 371 s 10 are each amended to read as follows:

(1) Subject to the conditions set forth therein any certification shall bind the state and each of its departments, agencies, divisions, bureaus, commissions, boards, and political subdivisions, whether a member of the council or not, as to the approval of the site and the construction and operation of the proposed energy facility.

(2) The certification shall authorize the person named therein to construct and

operate the proposed energy facility subject only to the conditions set forth in such certification.

(3) The issuance of a certification shall be in lieu of any permit, certificate or similar document required by any department, agency, division, bureau, commission, board, or political subdivision of this state, whether a member of the council or not.

(4) An action taken by a city or county is not subject to appeal under this chapter on the basis that the action is inconsistent with a code that has been preempted pursuant to RCW 80.50.110, where the action is taken under an agreement with the council to provide technical assistance or advice, or to conduct application or plan review, related to the construction or operation of a certified energy facility included under this chapter."

Correct the title.

Representatives Low and Hunt spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (1152) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Dye and Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Senate Bill No. 5317, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5317, as amended by the House, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1

Voting Yea: Representatives Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Caldier, Callan, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Kloba, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Chase, Corry, Dufault, McEntire, Penner, Schmick and Walsh

Excused: Representative Mendoza

SENATE BILL NO. 5317, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5104, Hasegawa, Bateman, Conway, Nobles, Saldaña, Stanford, Valdez, Wellman and Wilson, C.by Senate Committee on Labor & Commerce (originally sponsored by Hasegawa, Bateman, Conway, Nobles, Saldaña, Stanford, Valdez, Wellman and Wilson, C.)

Protecting employees from coercion in the workplace based on immigration status.

The bill was read the second time.

Representative Walsh moved the adoption of amendment (1120):

On page 4, beginning on line 12, after "any" strike all material through "chapters" on line 18 and insert "explicit verbal or written communication directed to a clearly identified individual stating that the person making the threat will disclose the immigration status of the clearly identified individual or of the individual's immediate family member to deter the clearly identified individual from engaging in protected activities described under this chapter, chapter 49.12, 49.30, or 49.48 RCW"

Representatives Walsh and Walsh (again) spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (1120) was not adopted.

Representative Walsh moved the adoption of amendment (1119):

On page 4, beginning on line 8, strike all of subsection (8)

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

On page 4, line 21, after "that" strike "coerces" and insert "threatens"

On page 4, line 32, after "to" strike "coercion" and insert "a threat"

On page 4, at the beginning of line 35, strike "coercive action" and insert "threat"

On page 4, line 36, after "of" strike "coercion" and insert "a threat"

On page 5, beginning on line 15, after "each" strike "coercive act" and insert "threat"

On page 5, line 23, after "Each" strike "act of coercion" and insert "threat"

On page 6, at the beginning of line 5, strike "coerced" and insert "threatened"

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (1119) was not adopted.

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

Representative Scott spoke in favor of the passage of the bill.

Representatives Schmidt, Dye, Walsh and Ybarra spoke against the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5104.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5104, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Calder, Chase, Connors, Corry, Couture, Dent, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representative Mendoza

SUBSTITUTE SENATE BILL NO. 5104, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5721, by Senators Stanford, Valdez, Hasegawa, Riccelli, Alvarado, Nobles, Orwall, Slatter, Trudeau and Wellman

Enhancing consumer protections for automobile insurance coverage.

The bill was read the second time.

With the consent of the House, amendments (995) and (1001) were withdrawn.

There being no objection, the committee striking amendment by the Committee on Consumer Protection & Business was adopted. For Committee amendment, see Journal, Day 80, Wednesday, April 2, 2025.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Peterson and McClintock spoke in favor of the passage of the bill.

The Speaker (Representative Stearns presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5721, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5721, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Calder, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Kloba, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock,

McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Voting Nay: Representative Dufault

Excused: Representative Mendoza

ENGROSSED SENATE BILL NO. 5721, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Stearns presiding) called upon Representative Timmons to preside.

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

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

	HOUSE BILL NO. 2020
SUBSTITUTE	SENATE BILL NO. 5101
	SENATE BILL NO. 5109
ENGROSSED SUBSTITUTE	SENATE BILL NO. 5192
	SENATE BILL NO. 5280
ENGROSSED SUBSTITUTE	SENATE BILL NO. 5281
	ENGROSSED SENATE BILL NO. 5313
	SENATE BILL NO. 5361
ENGROSSED SUBSTITUTE	SENATE BILL NO. 5445
ENGROSSED SUBSTITUTE	SENATE BILL NO. 5466
	ENGROSSED SENATE BILL NO. 5529
	SUBSTITUTE SENATE BILL NO. 5568
	ENGROSSED SENATE BILL NO. 5689

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

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5284, Lovelett, Shewmake, Nobles, Bateman, Salomon, Saldaña, Stanford, Wilson, C., Frame, Pedersen, Hasegawa, Liias, Orwall, Slatter and Valdezby Senate Committee on Ways & Means (originally sponsored by Lovelett, Shewmake, Nobles, Bateman, Salomon, Saldaña, Stanford, Wilson, C., Frame, Pedersen, Hasegawa, Liias, Orwall, Slatter and Valdez)

Improving Washington's solid waste management outcomes.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Environment & Energy was not adopted. For Committee amendment, see Journal, Day 80, Wednesday, April 2, 2025.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 86, Tuesday, April 8, 2025.

With the consent of the House, amendment (988) was ruled out of order.

Representative Reeves moved the adoption of amendment (1122) to the committee striking amendment:

On page 1, line 25, after "(c)" strike "Finally, it" and insert "It"

On page 2, after line 3, insert the following:

"(3) It is the intent of the legislature for the 2029 legislature to consider the draft plans submitted by producer responsibility organizations to the department of ecology in October 2028, prior to the approval of such plans by the department of ecology taking effect. It is the intent of the legislature for the 2029 legislature to consider the draft plans submitted in October 2028 and the independent analysis carried out by January 2029, of those submitted draft plans, in order for the 2029 legislature to determine whether to amend the requirements of this chapter, to make other recycling policy changes including the potential establishment of a bottle deposit return program, or to allow that the proposed plan and program under this chapter be implemented in full."

On page 18, line 35, after "(3)" insert "The department must appoint an equity subcommittee to the advisory council comprised of six representatives from overburdened communities or socially vulnerable populations, including representatives from three geographic locations in eastern Washington representing a small, medium, and large community. The equity subcommittee is responsible for informing and making recommendations to the advisory council, the department, and producer responsibility organizations regarding the impacts of activities under this chapter on socially vulnerable populations and overburdened communities, including the accessibility of covered services for covered materials to socially vulnerable populations and overburdened communities. At a minimum, the equity subcommittee must review and, as appropriate, provide information or make recommendations regarding needs assessments, submitted plans, and submitted annual reports. The department must appoint the members of the equity subcommittee based on solicited input received from the commission on African American affairs, the commission on Hispanic affairs, the commission on Asian Pacific American affairs, the LGBTQ commission, and the women's commission."

(4)"

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

On page 23, line 36, after "website" insert ", notify the appropriate committees of the legislature that a draft plan has been submitted and posted,"

On page 24, line 18, after "(c)" insert "The department's approval of the first producer responsibility organization plans submitted by October 1, 2028, must take effect no earlier than the adjournment of the 2029 regular legislative session, in order to allow an opportunity for the 2029 legislature to determine whether to amend

the requirements of this chapter, to make other recycling policy changes including the potential establishment of a bottle deposit return program, or to allow that the proposed plan and program under this chapter be implemented in full. Nothing in this subsection (5)(c) amends or limits the duties or authorities of a producer, a producer responsibility organization, or the department under this chapter, including with respect to the timing of plan submission, plan review, or plan revision processes specified in this section, while the 2029 legislature reviews the draft plan submitted to the department as provided in this subsection. Nothing in this subsection prevents a plan from being implemented in absence of legislative action after the effective date of this section.

(d)"

On page 37, line 7, after "low" insert ". This must include an evaluation of the efficacy of activities under section 119 of this act that are conceptually, linguistically, and culturally tailored to effectively reach diverse residents, and which such activities could be adjusted or improved to achieve improved outcomes for specific areas or sectors where participation is low"

On page 41, after line 17, insert the following:

"(4) Consistent with the process established in section 106(5) of this act, the department may only approve a draft plan submitted by a producer responsibility organization that meets the requirements of this section. The department shall not approve a draft plan that does not satisfy each criteria required of a plan under this section, including, but not limited to, a plan that does not reduce or eliminate disparities in the availability to socially vulnerable populations of covered services for covered materials."

On page 52, line 14, after "that" insert "are conceptually, linguistically, and culturally tailored to"

On page 52, line 15, after "methods" insert "that rely on evidence-based practices"

On page 52, line 29, after "by" insert "considering motivational structures for recycling and reuse by"

On page 53, line 2, after "formats" strike "to reach non-English-speaking communities" and insert "including by reaching non-English-speaking communities and by using a variety of tailored media and behavior change strategies"

On page 55, line 9, after "(1)" insert "(a) By January 1, 2028, the department must contract with an independent consultant to carry out a one-time ex-ante analysis of each draft plan submitted to the department by October 1, 2028, that addresses:

(i) The impact of the proposed program on the consumer prices of covered materials and items sold with covered materials;

(ii) The impacts of the proposed program on environmental justice, as defined in RCW 70A.02.010, and on the availability and convenience of recycling, composting, and reuse services, including specific analysis of the availability and convenience of recycling, composting, and reuse services used by socially vulnerable populations and in overburdened communities; and

(iii) Whether and how a beverage container deposit return program could be established as a complement to the proposed plan, and designed in a manner that would improve on the performance targets and program outcomes proposed in the plan and in a manner that would improve accessibility and convenience to recycling options for beverage containers.

(b) The analysis must be informed by input from stakeholders and informed by experience from other jurisdictions.

(c) The analysis must be completed and submitted to the department by January 15, 2029.

(d) The department's contract with the independent consultant must allow the consultant to begin its analysis prior to the submission of the draft plan on October 1, 2028. The department must require a producer responsibility organization to cooperate and share information with the independent consultant hired by the department to facilitate the consultant being able to complete its analysis in time to allow for consideration by the 2029 legislature.

(e) The department must notify the appropriate committees of the legislature upon the completion of the analysis under this subsection (1).

(2)"

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

On page 57, after line 37, insert the following:

"NEW SECTION. Sec. 124. STUDY OF DEPOSIT RETURN SYSTEM. (1) The department shall contract with an independent consultant to conduct two studies on the potential statewide impacts of a recycling refunds program, also known as a beverage container deposit return system, in Washington state. The studies must prioritize equity, accessibility, and community perspectives.

(2) The consultant, in coordination with the department, shall lead a community engagement process in at least three geographically diverse areas of the state with a high concentration of socially vulnerable or overburdened populations, as identified by the department consistent with RCW 70A.02.010. The results of this engagement process must be submitted to the legislature by January 1, 2027. The engagement process must:

(a) Solicit input on access to recycling and redemption services, local infrastructure needs, and community priorities related to convenience and equity;

(b) Assess consumer sentiment, awareness, and perceptions of a recycling refunds program, including perceived benefits, barriers to participation, and potential economic impacts, particularly for low-income households;

(c) Include:

(i) Community input sessions in overburdened communities;

(ii) Outreach to local governments, tribal governments, environmental justice and equity organizations, producers, recycling system operators, and other relevant stakeholders; and

(iii) Engagement with individuals and organizations concerned about the economic impacts of a recycling refunds program, particularly on low-income consumers; and

(d) Develop recommendations to ensure that a recycling refunds program is equitably accessible, convenient, and responsive to community needs across all regions of the state.

(3) In the same three regions required to be identified under subsection (2) of this section, the consultant shall evaluate and model what convenient access to redemption services would look like, with respect to the types of express and full-service redemption sites. The results of this engagement process must be submitted to the legislature by January 1, 2026. This analysis must at a minimum consider:

(a) The availability of suitable infrastructure for redemption services that include reusable packaging;

(b) Accessibility via public transportation;

(c) Colocation opportunities with existing waste or recycling facilities; and

(d) Strategies to reduce transportation burdens on residents in rural, remote, and underserved communities.

(4) The department shall submit the consultant's findings and recommendations to the appropriate committees of the house of representatives and the senate by January 1, 2026, for the study completed in subsection (3) of this section and January 1, 2027, for the study completed in subsection (2) of this section.

(5) Registered producer responsibility organizations under section 103 of this act are responsible for payment of the department's cost to complete these studies as part of the one-time payment due to the department on September 1, 2026, under section 103(4) of this act."

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

Representative Reeves spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Dye spoke against the adoption of the amendment to the committee striking amendment.

MOTION

On motion of Representative Griffey, Representative Dent was excused.

Representative Dufault spoke against the adoption of the amendment to the committee striking amendment.

MOTION

On motion of Representative Griffey, Representative Graham was excused.

Representative Walsh spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1122) to the committee striking amendment and the amendment was adopted by the following vote: Yeas, 59; Nays, 36; Absent, 0; Excused, 3

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representatives Dent, Graham and Mendoza

Amendment (1122) to the committee striking amendment was adopted.

Representative Dye moved the adoption of amendment (1182) to the committee striking amendment:

On page 1, line 25, after "(c)" strike "Finally, it" and insert "It"

On page 2, after line 3, insert the following:

"(3) It is the intent of the legislature for the 2029 legislature to consider the draft plans submitted by producer responsibility organizations to the department of ecology in October 2028, prior to the approval of such plans by the department of ecology taking effect. It is the intent of the legislature for the 2029 legislature to consider the draft plans submitted in October 2028 and the independent analysis carried out by January 2029, of those submitted draft plans, in order for the 2029 legislature to determine whether to amend the requirements of this chapter, to make other recycling policy changes, or to take future legislative action to allow that the proposed plan and program under this chapter be implemented in full."

On page 18, line 35, after "(3)" insert "The department must appoint an equity subcommittee to the advisory council comprised of six representatives from overburdened communities or socially vulnerable populations, including representatives from three geographic locations in eastern Washington representing a small, medium, and large community. The equity subcommittee is responsible for informing and making recommendations to the advisory council, the department, and producer responsibility organizations

regarding the impacts of activities under this chapter on socially vulnerable populations and overburdened communities, including the accessibility of covered services for covered materials to socially vulnerable populations and overburdened communities. At a minimum, the equity subcommittee must review and, as appropriate, provide information or make recommendations regarding needs assessments, submitted plans, and submitted annual reports. The department must appoint the members of the equity subcommittee based on solicited input received from the commission on African American affairs, the commission on Hispanic affairs, the commission on Asian Pacific American affairs, the LGBTQ commission, and the women's commission.

(4) "

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

On page 23, line 36, after "website" insert ", notify the appropriate committees of the legislature that a draft plan has been submitted and posted,"

On page 24, line 18, after "(c)" insert "The department's approval of the first producer responsibility organization plans submitted by October 1, 2028, must take effect no earlier than the adjournment of the 2029 regular legislative session, in order to allow an opportunity for the 2029 legislature to determine whether to amend the requirements of this chapter, to make other recycling policy changes, or to enact legislation to allow that the proposed plan and program under this chapter be implemented in full.

(d) Notwithstanding all other provisions of this chapter, the approval of a plan submitted under this chapter by the department of ecology does not take effect, and is prohibited from being implemented, unless a future legislature enacts new legislation that authorizes the implementation of the plan. All duties and obligations under this chapter that are specified to begin on or after July 1, 2029, are conditional upon the legislature amending this chapter to provide such new direction and authority.

(e) "

On page 37, line 7, after "low" insert ". This must include an evaluation of the efficacy of activities under section 119 of this act that are conceptually, linguistically, and culturally tailored to effectively reach diverse residents, and which such activities could be adjusted or improved to achieve improved outcomes for specific areas or sectors where participation is low"

On page 41, after line 17, insert the following:

"(4) Consistent with the process established in section 106(5) of this act, the department may only approve a draft plan submitted by a producer responsibility organization that meets the requirements of this section. The department shall not

approve a draft plan that does not satisfy each criteria required of a plan under this section, including, but not limited to, a plan that does not reduce or eliminate disparities in the availability to socially vulnerable populations of covered services for covered materials."

On page 52, line 14, after "that" insert "are conceptually, linguistically, and culturally tailored to"

On page 52, line 15, after "methods" insert "that rely on evidence-based practices"

On page 52, line 29, after "by" insert "considering motivational structures for recycling and reuse by"

On page 53, line 2, after "formats" strike "to reach non-English-speaking communities" and insert "including by reaching non-English-speaking communities and by using a variety of tailored media and behavior change strategies"

On page 55, line 9, after "(1)" insert "(a) By January 1, 2028, the department must contract with an independent consultant to carry out a one-time ex-ante analysis of each draft plan submitted to the department by October 1, 2028, that addresses:

(i) The impact of the proposed program on the consumer prices of covered materials and items sold with covered materials; and

(ii) The impacts of the proposed program on environmental justice, as defined in RCW 70A.02.010, and on the availability and convenience of recycling, composting, and reuse services, including specific analysis of the availability and convenience of recycling, composting, and reuse services used by socially vulnerable populations and in overburdened communities.

(b) The department must solicit and consider input from the advisory council and equity subcommittee in selecting the independent consultant under this subsection (1). The department is prohibited from selecting an independent consultant under this subsection that has been selected by the department for other studies or tasks under this chapter or that has been previously selected by the department for contracts related to the design of an extended producer responsibility program for paper products and packaging.

(c) The analysis must be informed by input from stakeholders and informed by experience from other jurisdictions.

(d) The analysis must be completed and submitted to the department by January 15, 2029.

(e) The department's contract with the independent consultant must allow the consultant to begin its analysis prior to the submission of the draft plan on October 1, 2028. The department must require a producer responsibility organization to cooperate and share information with the independent consultant hired by the department to facilitate the consultant being able to complete its analysis in time to allow for consideration by the 2029 legislature.

(f) The department must notify the appropriate committees of the legislature upon the completion of the analysis under this subsection (1).

(2)"

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

Representatives Dye and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Hunt and Entenman spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1182) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 39; Nays, 57; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Dufault, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1182) to the committee striking amendment was not adopted.

Representative Couture moved the adoption of amendment (1179) to the committee striking amendment:

On page 1, beginning on line 3 of the striking amendment, after "(1)" strike all material through "commission" on page 2, line 3, and insert "The legislature finds that Washington is experiencing an affordability crisis. Washington is the eighth most expensive state to raise a child. Parents spend nearly \$28,000 per year on essentials like food, housing, child care, healthcare, and on transportation, about \$5,000 more than the national average. According to the latest data from the U.S. census bureau household pulse survey, Washingtonians spend the fourth most amount on groceries. In a recent survey, more than 42 percent of adults said they were very stressed about price increases. Thirty-five percent of Washington households self-report living paycheck to paycheck. Recent surveys reveal that more than half of Washingtonians report food insecurity, with many struggling to afford basic groceries. Between August and October 2024, 78 percent of respondents noticed price increases, and 70 percent of food insecure households reported cutting back on both the quantity and quality of food. Many residents must rely on food assistance programs to make ends meet. One in seven children in Washington face hunger.

(2) The legislature also finds that extended producer responsibility (EPR)

programs that place new costs on product producers increase the costs of the products that consumers buy. The legislature acknowledges that state estimates of business and occupation tax revenue collections from producer responsibility organizations charged with managing paper and plastic packaging and beverage containers are based on revenue generated from hundreds of millions of dollars in new fees paid by producers to those organizations each year. The legislature recognizes that these EPR programs will create a tsunami of new costs passed on to the products Washingtonians purchase at the grocery store, because our groceries and beverages are shipped and packaged in cardboard, paper, plastic, aluminum and glass.

(3) The legislature nonetheless chooses to increase the price of groceries at this time of an affordability crisis in order to, if successful, marginally improve Washington state's top ten recycling rate performance through a costly and cumbersome state centralization of solid waste management"

Representatives Couture, Abbarno and Dufault spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Berry spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1179) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1179) to the committee striking amendment was not adopted.

MOTION

Representative Stonier moved that House Rule 14C be suspended to allow the body to continue to work past 10 p.m.

ROLL CALL

The Clerk called the roll on the motion to suspend House Rule 14C and the motion carried by the following vote: Yeas, 60; Nays, 36; Absent, 0; Excused, 2

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Dufault, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rule, Ryu,

Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Rude, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Excused: Representatives Dent and Mendoza

Representative Couture moved the adoption of amendment (1181) to the committee striking amendment:

On page 1, beginning on line 3 of the striking amendment, after "(1)" strike all material though "commission" on page 2, line 3, and insert "The legislature finds that Washington state's solid waste management system places the primary responsibility for solid waste management on county and city government. Under the current system, municipal solid waste plans are developed and adopted by locally elected officials under circumstances in which government decision making is open to the public through the public records act and open public meeting laws.

(2) Today, the legislature finds it appropriate to break that system and break trust with the public. The legislature intends to shield decision-making from the public about solid waste management by handing collection responsibilities for important waste streams like paper, plastic, and glass over to a nonprofit. The decision-making of this nonprofit will not be subject to open public meeting requirements. The decision-making of this nonprofit will not be subject to the scrutiny afforded by the protections of the public records act. The identity of this nonprofit and its board will be unknown to the public at the time lawmakers grant it incredible authority and responsibilities through this legislation. The public will have no mechanism to hold this nonprofit accountable—the nonprofit and its board never face voters. This nonprofit will be able to control valuable streams of commodities, enter into exclusive contracts, and collect hundreds of millions in fees, and yet it will be immune from traditional consumer protection laws like the prohibition on anticompetitive behavior that exists in state antitrust law.

(3) The legislature intends to reverse its position on solid waste policy and traditional notions of open and transparent government, to achieve, in a best-case scenario, modest recycling rate gains over a long period of time as infrastructure is built out at an all-in cost to the public and consumers that remains unknown but are projected at hundreds of millions of dollars in the first years. The legislature intends to take this step to legalize anti-competitive conduct and anti-transparent governance of solid waste without first conducting a county-by-county needs assessment even though assessing costs before proceeding further was the policy option that had unanimous support in the environment and energy committee. Therefore, the legislature overrides these long-held

notions of consumer protection, cost-benefit analysis, transparency, and open government"

Representatives Couture and Abell spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Berry spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1181) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 41; Nays, 55; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Timmons, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1181) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1101) to the committee striking amendment:

On page 2, beginning on line 9 of the striking amendment, strike all of subsection 2

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

On page 21, at the beginning of line 32 of the striking amendment, strike "alternative" and insert "specific"

On page 42, line 38 of the striking amendment, after "agencies," strike "alternative"

On page 43, beginning on line 1 of the striking amendment, after "use" strike "an alternative" and insert "a specific"

On page 43, line 7 of the striking amendment, after "uses" strike "an alternative" and insert "a specific"

On page 43, line 10 of the striking amendment, after "uses" strike "an alternative" and insert "a specific"

On page 43, line 11 of the striking amendment, after "that the" strike "alternative" and insert "specific"

On page 44, line 1 of the striking amendment, after "of" strike "an alternative" and insert "a specific"

On page 44, at the beginning of line 4 of the striking amendment, strike "alternative" and insert "recycling"

On page 44, line 16 of the striking amendment, after "approved" strike "alternative"

On page 44, line 20 of the striking amendment, after "the" strike "alternative"

On page 44, at the beginning of line 23 of the striking amendment, strike "alternative"

On page 70, line 25 of the striking amendment, after "sent to" strike "an alternative" and insert "a"

Representatives Dye and Ybarra spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Street spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1101) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1101) to the committee striking amendment was not adopted.

Representative Couture moved the adoption of amendment (1183) to the committee striking amendment:

On page 3, line 39 of the striking amendment, after "1," strike "2031" and insert "2032"

On page 4, line 1 of the striking amendment, after "1," strike "2031" and insert "2032"

On page 4, at the beginning of line 5 of the striking amendment, strike "2031" and insert "2032"

On page 6, line 5 of the striking amendment, after "31," strike "2029" and insert "2030"

On page 6, at the beginning of line 6 of the striking amendment, strike "2030" and insert "2031"

On page 6, line 12 of the striking amendment, after "31," strike "2029. Beginning January 1, 2030" and insert "2030. Beginning January 1, 2031"

On page 13, line 2 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 13, line 5 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 13, line 31 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 14, line 1 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 14, line 16 of the striking amendment, after "1," strike "2029" and insert "2030"

On page 14, line 21 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 14, line 23 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 14, line 25 of the striking amendment, after "30," strike "2027" and insert "2029"

On page 14, line 28 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 14, line 32 of the striking amendment, after "30," strike "2027" and insert "2029"

On page 14, line 34 of the striking amendment, after "1," strike "2027" and insert "2028"

On page 15, line 1 of the striking amendment, after "1," strike "2028" and insert "2029"

On page 15, line 4 of the striking amendment, after "1," strike "2030" and insert "2031"

On page 15, line 6 of the striking amendment, after "1," strike "2031" and insert "2032"

On page 16, line 15 of the striking amendment, after "in" strike "2029" and insert "2030"

On page 17, line 33 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 20, line 19 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 20, line 25 of the striking amendment, after "31," strike "2026" and insert "2027"

On page 20, line 28 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 20, line 32 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 20, line 34 of the striking amendment, after "31," strike "2026" and insert "2027"

On page 20, line 36 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 21, line 1 of the striking amendment, after "31," strike "2026" and insert "2027"

On page 21, line 4 of the striking amendment, after "31," strike "2027" and insert "2028"

On page 21, line 7 of the striking amendment, after "By" strike "2028" and insert "2029"

On page 21, line 10 of the striking amendment, after "1," strike "2028" and insert "2029"

On page 21, line 13 of the striking amendment, after "31," strike "2029" and insert "2030"

On page 21, line 17 of the striking amendment, after "1," strike "2029" and insert "2030"

On page 21, line 21 of the striking amendment, after "1," strike "2031" and insert "2032"

On page 21, line 24 of the striking amendment, after "31," strike "2032" and insert "2033"

On page 21, line 26 of the striking amendment, after "1," strike "2038" and insert "2039"

On page 22, line 18 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 22, line 33 of the striking amendment, after "31," strike "2027" and insert "2028"

On page 23, line 1 of the striking amendment, after "By" strike "2028" and insert "2029"

On page 23, line 13 of the striking amendment, after "31," strike "2027" and insert "2028"

On page 23, line 16 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 23, line 25 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 23, line 29 of the striking amendment, after "30," strike "2027" and insert "2029"

On page 25, line 2 of the striking amendment, after "31," strike "2026" and insert "2027"

On page 25, line 33 of the striking amendment, after "in" strike "2031" and insert "2032"

On page 27, line 3 of the striking amendment, after "1," strike "2026" and insert "2027"

On page 30, line 24 of the striking amendment, after "31," strike "2026" and insert "2027"

On page 30, line 26 of the striking amendment, after "31," strike "2027" and insert "2028"

On page 36, line 24 of the striking amendment, after "31," strike "2032" and insert "2033"

On page 37, line 21 of the striking amendment, after "1," strike "2028" and insert "2029"

On page 49, at the beginning of line 4 of the striking amendment, strike "2030" and insert "2031"

On page 49, at the beginning of line 6 of the striking amendment, strike "2031" and insert "2032"

On page 49, at the beginning of line 8 of the striking amendment, strike "2032" and insert "2033"

On page 53, line 7 of the striking amendment, after "1," strike "2031" and insert "2032"

On page 55, line 10 of the striking amendment, after "1," strike "2038" and insert "2039"

On page 61, line 25 of the striking amendment, after "in" strike "2026" and insert "2027"

On page 61, line 28 of the striking amendment, after "in" strike "2026" and insert "2027"

On page 63, line 8 of the striking amendment, after "1," strike "2030" and insert "2031"

On page 63, line 25 of the striking amendment, after "1," strike "2030" and insert "2031"

On page 64, line 11 of the striking amendment, after "1," strike "2030" and insert "2031"

On page 64, line 15 of the striking amendment, after "1," strike "2030" and insert "2031"

On page 64, line 17 of the striking amendment, after "1," strike "2030" and insert "2031"

On page 73, line 27 of the striking amendment, after "1," strike "2030" and insert "2031"

On page 73, line 37 of the striking amendment, after "1," strike "2030" and insert "2031"

On page 73, after line 37 of the striking amendment, insert the following:

"NEW SECTION. Sec. 304. PUBLIC EMPLOYEE IMPACT STUDY. (1) The Washington state institute for public policy must complete a study and submit a report to the appropriate committees of the legislature addressing the impacts of the policy created in this act on public employees by December 31, 2025.

(2) The study and report must analyze:

(a) The responsibilities and functions in solid waste management that this act allocates to private producer responsibility organizations that have traditionally been done by public employees or that are capable of being done by public employees;

(b) The staffing levels anticipated for producer responsibility organizations over the first ten years of program implementation after registration with the department of ecology under 70A.--- RCW (the new chapter created in section 401 of this act) and how many full time equivalent public employees that staffing level would translate to if the duties of a producer responsibility organization were instead carried out by state or local agencies; and

(c) Any challenges or barriers that would prevent any duties assigned to a producer responsibility organization under this act from being done by employees of state or local agencies.

(3) The Washington state institute for public policy must, in its report to the legislature, propose an alternate structure for extended producer responsibility for covered materials under 70A.--- RCW (the new chapter created in section 401 of this act) that would accomplish the recycling targets and other program outcomes without assigning the roles and responsibilities for policy development, fee setting and collection, and program enforcement to a private entity."

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

On page 74, line 5 of the striking amendment, after "1," strike "2028" and insert "2029"

Representatives Couture, Dye and Couture (again) spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Street spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1183) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low,

Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Timmons, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Dufault, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1183) to the committee striking amendment was not adopted.

Representative Corry moved the adoption of amendment (1180) to the committee striking amendment:

On page 9, line 23 of the striking amendment, after "except" strike ":

(A) Where" and insert "where"

On page 9, line 34 of the striking amendment, after "subsection:" strike "(I)" and insert "(A)"

On page 9, line 36 of the striking amendment, after "person;" strike "or (II)" and insert "(B)"

On page 9, beginning on line 37 of the striking amendment, after "container;" strike all material through "state" on page 10, line 2 of the striking amendment and insert "or (C) A franchisee of a business operated wholly or in part as a franchise"

Representatives Corry, Dye and Dufault spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Berry spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1180) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Calder, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1180) to the committee striking amendment was not adopted.

The Speaker (Representative Timmons presiding) called upon Representative Simmons to preside.

Representative Abell moved the adoption of amendment (1106) to the committee striking amendment:

On page 13, after line 37 of the striking amendment, insert the following:

"(5) The following persons are ineligible to serve on the board of the producer responsibility organization or to be hired as an officer or employee of the producer responsibility organization:

(i) Any state or local elected official;

(ii) Any former employee of the department's solid waste program or that worked on solid waste policies for the department, if such an employee has served in that role within the most recent two calendar years; and

(iii) Any former state or local elected official that has served in such a role within the most recent two calendar years."

Representatives Abell and Duerr spoke in favor of the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1106) to the committee striking amendment and the amendment was adopted by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Berg, Bergquist, Bernbaum, Berry, Bronoske, Burnett, Calder, Callan, Chase, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dufault, Dye, Engell, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Graham, Gregerson, Griffey, Hackney, Hill, Hunt, Jacobsen, Keaton, Klicker, Kloba, Leavitt, Lekanoff, Ley, Low, Macri, Manjarrez, Marshall, McClintock, McEntire, Mena, Morgan, Nance, Obras, Orcutt, Ormsby, Ortiz-Self, Parshley, Paul, Penner, Peterson, Pollet, Ramel, Reed, Reeves, Richards, Rude, Rule, Ryu, Salahuddin, Santos, Schmick, Schmidt, Scott, Shavers, Simmons, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Stuebe, Taylor, Thai, Tharinger, Thomas, Timmons, Volz, Walen, Walsh, Waters, Wylie, Ybarra, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1106) to the committee striking amendment was adopted.

Representative Engell moved the adoption of amendment (1108) to the committee striking amendment:

On page 13, after line 37 of the striking amendment, insert the following:

"(5) The following persons are ineligible to serve on the board of the producer responsibility organization or to be hired as an officer or employee of the producer responsibility organization:

(i) Any person that lobbied for or against this act; or

(ii) Any person that was employed, at any time during calendar year 2025, by any nonprofit, trade association, or business that lobbied for or against this act."

Representative Engell spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Mena spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1108) to the committee striking amendment and the amendment

was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1108) to the committee striking amendment was not adopted.

Representative Walsh moved the adoption of amendment (1110) to the committee striking amendment:

On page 17, line 13 of the striking amendment, after "(7)" insert "(a)"

On page 17, after line 27 of the striking amendment, insert the following:

"(b) A producer responsibility organization established under this chapter is prohibited from colluding with similar organizations formed in other jurisdictions to implement an extended producer responsibility program for paper producers or packaging regarding the establishment of prices for commodities or related to the sales of commodities to particular entities for reuse or recycling. A producer responsibility organization is prohibited from implementing a similar extended producer responsibility program in another jurisdiction. The coordination of actions between a producer responsibility organization formed under this chapter and similar organizations formed in other jurisdictions to implement an extended producer responsibility program for paper producers or packaging is not immune from liability under this section."

Representatives Walsh, Walsh (again) and Dye spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Doglio spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1110) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 41; Nays, 55; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Timmons, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul,

Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1110) to the committee striking amendment was not adopted.

Representative Stuebe moved the adoption of amendment (1103) to the committee striking amendment:

On page 17 of the striking amendment, after line 27, insert the following:

"(8) A producer responsibility organization formed under this chapter is considered a person charged with the receipt, safekeeping, and disbursement of public moneys for purposes of audits conducted under chapter 43.09 RCW, and is subject to inspection, audit, and other authorities of the state auditor in compliance with chapter 43.09 RCW. The state auditor shall ensure that each producer responsibility organization formed under this chapter that receives, ensures the safekeeping of, and disburses public money is audited in compliance with chapter 43.09 RCW."

Representatives Stuebe, Manjarrez, Dufault, Ybarra and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Parshley spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1103) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 42; Nays, 54; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Simmons, Steele, Stokesbary, Stuebe, Timmons, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1103) to the committee striking amendment was not adopted.

Representative Ley moved the adoption of amendment (1105) to the committee striking amendment:

On page 21, line 4 of the striking amendment, after "By" strike "December 31" and insert "September 1"

On page 30, line 26 of the striking amendment, after "(b)" strike "By December 31" and insert "In order to ensure that the needs assessment is finalized prior to ballots being mailed to voters for the subsequent November general election, by September 1"

Representatives Ley and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Mena spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1105) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1105) to the committee striking amendment was not adopted.

Representative Klicker moved the adoption of amendment (1100) to the committee striking amendment:

On page 47, line 2 of the striking amendment, after "plan" insert ". A producer responsibility organization may not charge an annual fee to a member producer that exceeds \$500,000 "

On page 48, line 1 of the striking amendment, after "(e)" insert "Not exceed \$500,000 per producer;
(f) "

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

Representatives Klicker, Manjarrez and Connors spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Berry spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1100) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 42; Nays, 54; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Simmons, Steele, Stokesbary, Stuebe, Timmons, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul,

Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Walen, Wylie, Zahn and Mme. Speaker
Excused: Representatives Dent and Mendoza

Amendment (1100) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1102) to the committee striking amendment:

On page 47, line 2 of the striking amendment, after "plan" insert ". A producer responsibility organization may not charge annual fees to member producers that exceed \$100,000,000 in total"

On page 48, line 1 of the striking amendment, after "(e)" insert "Not charge fees to member producers that exceed \$100,000,000 in total;
(f) "

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

Representatives Dye and Orcutt spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Berry spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1102) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 41; Nays, 55; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Timmons, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1102) to the committee striking amendment was not adopted.

Representative Dye moved the adoption of amendment (1112) to the committee striking amendment:

On page 48, after line 24 of the striking amendment, insert the following:

"(5) Each year, a producer responsibility organization is prohibited from using more than five percent of the annual fees collected from member producers under this section for program administration costs."

Representatives Dye, Dufault and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Zahn spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1112) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1112) to the committee striking amendment was not adopted.

Representative Barnard moved the adoption of amendment (1104) to the committee striking amendment:

On page 53, line 33 of the striking amendment, after "(e)" insert "The impacts of the program on the price of consumer goods that are covered materials or packaged in covered materials and on the amount and type of covered materials used as packaging, as measured consistent with subsection (3) of this section;

(f)"

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

On page 55, after line 8 of the striking amendment, insert the following:

"(3) Beginning in 2026, each producer responsibility organization must contract with an independent third party to annually evaluate the impacts of the program on the price of consumer goods that are covered materials or packaged in covered materials and on the amount and type of covered materials used as packaging. To the extent feasible, this evaluation must be carried out through the purchase, on October 1 of each year, at twelve grocery stores in twelve consistent jurisdictions in Washington, of an identical basket of 50 consumer products that are covered materials or are packaged with covered materials, and that reflect the diversity of types of covered materials subject to the requirements of this chapter. The evaluation under this subsection must note any trends, relative to historical data collected under this subsection, of the prices, packaging type, and packaging amounts associated with items purchased under this subsection."

Representatives Barnard and Dye spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Zahn spoke against the adoption of the amendment to the committee striking amendment.

MOTION

On motion of Representative Ramel, Representative Morgan was excused.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1104) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 55; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent, Mendoza and Morgan

Amendment (1104) to the committee striking amendment was not adopted.

Representative Dufault moved the adoption of amendment (1107) to the committee striking amendment:

On page 57, after line 37 of the striking amendment, insert the following:

"NEW SECTION. Sec. 124. ANTICORRUPTION PROTECTIONS. (1) Each producer responsibility organization board member and employee is required to annually complete the statement of financial affairs required by RCW 42.17A.700.

(2) No board member, officer, or employee of the recycling refund producer responsibility organization may be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the recycling refund producer responsibility organization, or accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in the contract, sale, lease, purchase, or grant."

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

On page 78, after line 3 of the striking amendment, insert the following:

"Sec. 307. RCW 42.17A.705 and 2024 c 54 s 40 are each amended to read as follows:

For the purposes of RCW 42.17A.700, "executive state officer" includes:

(1) The chief administrative law judge, the director of agriculture, the director of the department of services for the blind, the secretary of children, youth, and families, the director of the state system of community and technical colleges, the director of commerce, the director of Washington technology solutions, the secretary of corrections, the director of ecology, the commissioner of employment security, the chair of the energy facility

site evaluation council, the director of enterprise services, the secretary of the state finance committee, the director of financial management, the director of fish and wildlife, the executive secretary of the forest practices appeals board, the director of the gambling commission, the secretary of health, the administrator of the Washington state health care authority, the executive secretary of the health care facilities authority, the executive secretary of the higher education facilities authority, the executive secretary of the horse racing commission, the executive secretary of the human rights commission, the executive secretary of the indeterminate sentence review board, the executive director of the state investment board, the director of labor and industries, the director of licensing, the director of the lottery commission, the director of the office of minority and women's business enterprises, the director of parks and recreation, the executive director of the public disclosure commission, the executive director of the Puget Sound partnership, the director of the recreation and conservation office, the director of retirement systems, the director of revenue, the secretary of social and health services, the chief of the Washington state patrol, the executive secretary of the board of tax appeals, the secretary of transportation, the secretary of the utilities and transportation commission, the director of veterans affairs, the president of each of the regional and state universities and the president of The Evergreen State College, and each district and each campus president of each state community college;

(2) Each professional staff member of the office of the governor;

(3) Each professional staff member of the legislature; ~~((and))~~

(4) Central Washington University board of trustees, the boards of trustees of each community college and each technical college, each member of the state board for community and technical colleges, state convention and trade center board of directors, Eastern Washington University board of trustees, Washington economic development finance authority, Washington energy northwest executive board, The Evergreen State College board of trustees, executive ethics board, fish and wildlife commission, forest practices appeals board, forest practices board, gambling commission, Washington health care facilities authority, student achievement council, higher education facilities authority, horse racing commission, state housing finance commission, human rights commission, indeterminate sentence review board, board of industrial insurance appeals, state investment board, commission on judicial conduct, legislative ethics board, life sciences discovery fund authority board of trustees, state liquor and cannabis board, lottery commission, Pacific Northwest electric power and conservation planning council, parks and recreation commission, Washington personnel resources board, board of pilotage commissioners, pollution control hearings board, public disclosure commission, public employees' benefits

board, recreation and conservation funding board, salmon recovery funding board, shorelines hearings board, board of tax appeals, transportation commission, University of Washington board of regents, utilities and transportation commission, Washington State University board of regents, and Western Washington University board of trustees; and

(5) Each board member or employee of a producer responsibility organization formed under RCW 70A.---(the new chapter created in section 401 of this act)."

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

Representatives Dufault, Walsh, Penner and Dufault (again) spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Parshley spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1107) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 41; Nays, 55; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Timmons, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1107) to the committee striking amendment was not adopted.

Representative Walsh moved the adoption of amendment (1111) to the committee striking amendment:

On page 17, beginning on line 13 of the striking amendment, strike all of subsection (7)

Representatives Walsh and Dufault spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Ramel spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1111) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Graham, Griffey, Jacobsen, Keaton, Klicker, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Bronoske, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Wylie, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1111) to the committee striking amendment was not adopted.

Representative Fey moved the adoption of amendment (1074) to the committee striking amendment:

Beginning on page 1, line 3, strike all material through "RCW." on page 78, line 15 and insert the following:

**"PART 1
INTENT"**

NEW SECTION. **Sec. 101.** INTENT. (1) The legislature finds that:

(a) Washington state has been a leader in recycling policy, reaching the goal of 50 percent recycling set by the legislature in RCW 70A.205.005. The legislature further finds that, since meeting the state's goal to achieve a 50 percent recycling rate, global market conditions have caused the recycling rate to fall below 50 percent, demonstrating the dependence of recycling rates on reliable, consistent recycling markets for recyclable materials;

(b) New goals and target recycling rates must be established and a comprehensive statewide infrastructure analysis, cost and opportunity evaluation of Washington's recycling system is necessary to implement improvements to Washington's existing recycling system to reach those goals;

(c) Programs, activities, or projects that reduce greenhouse gas emissions from the solid waste sector, including a comprehensive statewide infrastructure analysis, cost and opportunity evaluation, are intended to be funded from the climate commitment account;

(d) 88 percent of Washington residents living in single-family homes and 77 percent living in multifamily residences have access to curbside recycling services through a robust regulatory structure that ensures equal access to services at affordable rates; and

(e) The investments in infrastructure by Washington companies has led to the development of materials sorting and processing superior to most other states.

(2)(a) The legislature finds that contamination in the recycling stream is a major impediment to higher recovery rates.

(b) It is the intent of the legislature to implement proven strategies to address these challenges, including:

(i) The establishment of a single statewide list of materials for recyclables collected through Washington's curbside recycling system to reduce confusion and increase participation;

(ii) A robust infrastructure analysis, cost and opportunity evaluation unique to

Washington state to determine costs and investments necessary to achieve a 65 percent overall recycling rate for packaging;

(iii) Study the use of recycling symbols on packaging that cannot be readily recycled through Washington's recycling system; and

(iv) The expansion of the successful recycled content requirements to ensure more materials are manufactured with postconsumer material.

(3) It is the intent of the legislature that:

(a) Producers increase the use of postconsumer recycled content in their products, to achieve the goals in RCW 70A.520.010(2) and to create strong markets for recycled materials and achieve environmental benefits; and

(b) Through design and innovation, producers will reduce the use and climate impact of consumer packaging and paper products and increase the use of postconsumer recycled content.

(4) Finally, it is the intent of the legislature that Washington should maintain the successful public-private partnership between state, local government, and solid waste and recycling service providers. The legislature does not intend to diminish or displace the primary role of the utilities and transportation commission and local governments in regulating or contracting directly with service providers for the curbside collection of residential recyclables. Local governments maintain their existing authority to collect, contract for collection with solid waste and recycling service providers, or defer to solid waste collection services regulated by the utilities and transportation commission.

(5) Therefore, it is the intent of the legislature to implement proven strategies to address these challenges, including a robust comprehensive statewide infrastructure analysis, cost and opportunity evaluation unique to Washington state to determine costs and investments necessary to achieve a 65 percent overall recycling rate for packaging.

**PART 2
RATES STUDY, MATERIALS LIST, AND
COMPREHENSIVE STATEWIDE INFRASTRUCTURE
ANALYSIS, COST AND OPPORTUNITY EVALUATION**

NEW SECTION. **Sec. 201.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Consumable product" means a commodity that is intended to be used and not disposed of.

(2) "Contaminant" means a material set out for curbside recycling collection that is not on the list of materials accepted for recycling collection by a recycling collection program.

(3) "Contamination" means the presence of one or more contaminants in a recycling collection or commodity stream in an amount or concentration that negatively impacts the value of the material or negatively impacts a processor's ability to sort that material.

(4) "Covered product" means packaging and paper products sold or supplied to consumers for personal, noncommercial use and disposed of through residential curbside or drop-off site collection systems.

(5) "Department" means the department of ecology.

(6) "Glass" means a covered product made of soda lime glass.

(7) "Material category" means a group of covered products that have similar properties such as chemical composition, shape, or other characteristics.

(8) "Overburdened community" means an overburdened community identified and prioritized by the department under RCW 70A.02.050(1)(a).

(9)(a) "Packaging" means a material, substance, or object that is:

(i) Used to protect, contain, transport, or serve an item;

(ii) Sold or supplied to consumers expressly for the purpose of protecting, containing, transporting, or serving items;

(iii) Attached to an item or its container for the purpose of marketing or communicating information about the item;

(iv) Supplied at the point of sale to facilitate the delivery of the item; or

(v) Supplied to or purchased by consumers expressly for the purpose of facilitating food or beverage consumption that is ordinarily discarded by consumers after a single use or short-term use, whether or not it could be reused.

(b) "Packaging" does not include:

(i) Materials intended to be used for the long-term storage or protection of a durable product, that is intended to transport, protect, or store the durable product on an ongoing basis, and that can be expected to be usable for that purpose for a period of at least five years;

(ii) For purposes of this chapter only, materials used to package pesticide products regulated by the federal insecticide, fungicide, and rodenticide act, 7 U.S.C. Sec. 136 et seq., that are in direct contact with the regulated product. This exemption does not include products regulated by the United States food and drug administration;

(iii) Liquefied petroleum gas containers that are designed to be refilled and reused;

(iv)(A) Packaging for drugs that are used for animal medicines including parasiticide products for animals; and

(B) Packaging for products intended for animals that are regulated as animal drugs, biologics, parasitocides, medical devices, or diagnostics used to treat, or administered to, animals under the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 301 et seq., the federal insecticide, fungicide, and rodenticide act, 7 U.S.C. Sec. 136 et seq., or the federal virus-serum-toxin act, 21 U.S.C. Sec. 151 et seq., as amended;

(v) Packaging for products that are regulated as a medical device, dietary supplement, or drug by the United States food and drug administration under the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 321 et seq. or products that are regulated as a biologic or vaccine by the federal food and drug administration under

the public health service act, 42 U.S.C. Sec. 201 et seq.;

(vi) Packaging related to containers of architectural paint that has been collected by a stewardship organization under the program established in chapter 70A.515 RCW;

(vii) Packaging used to contain hazardous or flammable products classified by the 2012 federal occupational safety and health administration hazard communication standard, 29 C.F.R. Sec. 1910.1200 (2012).

(10) "Paper product" means paper sold or supplied including flyers, brochures, booklets, catalogs, magazines, and all other paper materials except for: (a) Bound books; (b) conservation grade and archival grade paper; (c) newspapers; (d) paper designed for use in building construction; and (e) paper products that, by any common and foreseeable use, could reasonably be anticipated to become unsafe or unsanitary to handle.

(11)(a) "Producer" means the following person responsible for compliance with covered product registration and reporting requirements under this chapter for a covered product sold, offered for sale, or distributed in or into this state:

(i) If the covered product is sold with the manufacturer's own brand or lacks identification of a brand, the producer is the person who manufactures the covered product;

(ii) If the covered product is manufactured by a person other than the brand owner, the producer is the person who is the licensee of a brand or trademark under which a covered product is sold, offered for sale, or distributed in or into this state, whether or not the trademark is registered in this state, unless the manufacturer or brand owner of the covered product has agreed to accept responsibility under this chapter; or

(iii) If there is no person described in (a)(i) and (ii) of this subsection over whom the state can constitutionally exercise jurisdiction, the producer is the person who imports or distributes the covered product in or into the state.

(b) A person is the "producer" of a covered product sold, offered for sale, or distributed in or into this state, as defined in (a)(i) through (iii) of this subsection, except where another person has mutually signed an agreement with a producer as defined in (a)(i) through (iii) of this subsection that contractually assigns responsibility to the person as the producer, and the person has joined a registered producer responsibility organization as the responsible producer for that covered product under this chapter.

(c) "Producer" does not include:

(i) Government agencies, municipalities, or other political subdivisions of the state;

(ii) Registered 501(c)(3) charitable organizations and 501(c)(4) social welfare organizations; or

(iii) De minimis producers that annually sell, offer for sale, distribute, or import in or into the country for sale in Washington:

(A) Less than one ton of covered products each year; or

(B) That have a global gross revenue of less than \$5,000,000 for the most recent fiscal year of the organization. The department shall calculate an adjusted rate to maintain the small business exemption by the rate of inflation. The adjusted rate must be calculated to the nearest cent using the consumer price index for urban wage earners. Each adjusted rate calculated under this subsection takes effect on the following January 1st.

(12) "Vulnerable population" has the same meaning as defined in RCW 70A.02.010.

NEW SECTION. Sec. 202. ACTIVITIES TO SUPPORT FUTURE INCREASES IN RECOVERY RATES AND RATES STUDY. (1) To inform the future development of strategies to increase recovery rates consistent with the goals established in subsection (2) of this section, the department must:

(a) Identify a statewide list of materials suitable for curbside collection services and a statewide list of materials suitable for drop-off collection, consistent with section 203 of this act, to be completed by October 1, 2026;

(b) Complete a comprehensive statewide infrastructure analysis, cost and opportunity evaluation to meet the goal established in subsection (2) of this section and be carried out by a third-party consultant selected by the department, consistent with section 204 of this act, and completed by October 1, 2027; and

(c) Begin overseeing the registration and data reporting of producers of packaging, consistent with section 205 of this act.

(2)(a) A goal is established for the state to achieve a recycling rate of 65 percent for covered products. The department must, in consultation with the advisory committee established in section 207 of this act, identify a methodology for calculating progress towards this goal as part of its duties under section 204 of this act, and must begin tracking and periodically making public the state's progress towards this goal beginning in the year following the initial reporting of data by producers under section 205 of this act.

(b) The goals established in this subsection must be used to inform the comprehensive statewide infrastructure analysis, cost and opportunity evaluation in section 204 of this act.

(3) For purposes of implementing this chapter, the department may, where appropriate, use and rely on the recommended recycling rate targets contained in the department's *December 2023 Washington Recycling, Reuse, and Source Reduction Target Study and Community Input Process*.

NEW SECTION. Sec. 203. CURBSIDE AND DROP-OFF RECYCLABLE MATERIALS COLLECTION LISTS FOR COMPREHENSIVE STATEWIDE INFRASTRUCTURE ANALYSIS, COST AND OPPORTUNITY EVALUATION. (1)(a) By October 1, 2026, the department must develop and publish a:

(i) List of recyclable materials suitable for curbside collection from residents in single-family and multifamily residences; and

(ii) Separate list of materials suitable for residential drop-off collection.

(b) The department must review and update the lists in (a) of this subsection by October 1, 2031, and no less often than every five years thereafter. During the review and update of the lists, the department must newly review each material included on the previous versions of the lists using the factors described in subsection (4) of this section and may only continue to include materials on a list after considering the factors described in subsection (4) of this section.

(2) The initial list of materials suitable for curbside collection developed and published under this section must include the following materials:

- (a) Newspaper;
- (b) Paperboard and chipboard;
- (c) Loose paper;
- (d) Corrugated cardboard;
- (e) Magazines;
- (f) Envelopes;
- (g) Aluminum cans;
- (h) Tin or steel cans;
- (i) High density polyethylene plastic containers; and
- (j) Polyethylene terephthalate containers.

(3) The initial list of materials suitable for drop-off residential collection must include the following materials:

- (a) Glass; and
 - (b) Flexible plastic.
- (4) In addition to the materials identified under subsections (2) and (3) of this section, the department may identify additional materials for inclusion on a list or remove materials from inclusion on a list based on consultation with the advisory committee established in section 207 of this act, and after considering the following factors:

- (a) The stability, maturity, accessibility, and viability of responsible end markets;
- (b) Economic factors;
- (c) Environmental factors from a life-cycle perspective;
- (d) The material's compatibility with existing recycling infrastructure;
- (e) The amount of the material available;
- (f) The ability for waste generators to easily identify and properly prepare the material;
- (g) The practicalities of sorting and storing the material;
- (h) Contamination;
- (i) Environmental health and safety considerations; and
- (j) The anticipated yield loss for the material during the recycling process.

NEW SECTION. Sec. 204. COMPREHENSIVE STATEWIDE INFRASTRUCTURE ANALYSIS, COST AND OPPORTUNITY EVALUATION. (1) The comprehensive statewide infrastructure analysis, cost and opportunity evaluation must be consistent with the following requirements:

- (a) The final scope of the statewide infrastructure analysis, cost and opportunity evaluation must be determined after considering comments and

recommendations from stakeholders, each jurisdiction planning under chapter 70A.205 RCW, and the advisory committee established in section 207 of this act; and

(b) Stakeholders, jurisdictions planning under chapter 70A.205 RCW, and the advisory committee must have the opportunity to review and comment on the draft comprehensive analysis and evaluation at least 90 days prior to its completion. The advisory committee must have the opportunity to review drafts of the comprehensive analysis and evaluation and accompanying data used in the comprehensive analysis and evaluation.

(2) The comprehensive statewide infrastructure analysis, cost and opportunity evaluation must be:

(a) Informed by highest achievable recycling rates and recommended targets in the 2023 performance rates study identified in section 202 of this act and rates and other comments suggested by stakeholders and the advisory committee;

(b) Limited to covered products collected from residents in single-family and multifamily residences included on the list developed and published by the department in section 202 of this act;

(c) Completed only after individual consultation with each jurisdiction planning under chapter 70A.205 RCW; and

(d) Accepted from the selected consultant as complete by the department.

(3) The comprehensive statewide infrastructure analysis, cost and opportunity evaluation must:

(a) For each jurisdiction planning under chapter 70A.205 RCW, evaluate the capacity, costs, gaps, and needs for the following factors necessary to achieve recycling performance rate recommendations to reach the goal identified under section 202 of this act:

(i) Evaluate what services related to the requirements of this chapter are currently being delivered in each county and city planning under chapter 70A.205 RCW and what the costs are for those existing services;

(A) Availability and types of recycling services for covered products for residents in single-family and multifamily residences, including whether current services are considered residential or commercial and whether any gaps, costs, or needs are specific to either commercial or residential customer service;

(B) The current methods and infrastructure for serving residents, including curbside recycling service areas and material drop-off locations;

(C) Any densely populated areas within each jurisdiction in which curbside recycling services for covered products identified by the department on the list developed and published under section 203 of this act are not available or are only partially available;

(D) Any areas within each jurisdiction where curbside garbage collection services are offered to residents in single-family and multifamily residences but curbside recycling services are not offered;

(ii) Evaluate what new or expanded services and infrastructure are needed in each county and city planning under chapter

70A.205 RCW to meet the target performance rates and what the anticipated costs are for those additional services and infrastructure;

(iii) Education and outreach activities, which may include digital mediums on packaging;

(iv) Availability and performance of collection, transport, and processing capacity and infrastructure, including consideration of material quality and contamination;

(v) Necessary capital investments to existing reuse and recycling infrastructure, and how to maximize the use of existing infrastructure;

(b) Compile information related to actual costs for curbside collection services, drop-off collection services, and other information relevant to the funding requirements to achieve performance rates, including costs for various service methods recommended by stakeholders during the study scoping process;

(c) Estimate the total costs of investments necessary to reach target rates, within each jurisdiction, as well as ongoing program costs related to labor, equipment, and maintenance. Cost factors and variables to be considered in the estimates include:

(i) Population size and density of a local jurisdiction;

(ii) Types of households serviced and collection method used;

(iii) Distance from a local jurisdiction to the nearest recycling facility;

(iv) Whether a jurisdiction pays for transportation and sorting of collected materials and whether it receives a commodity value from processed materials;

(v) Geographic location or other variables contributing to regional differences in costs;

(vi) Cost increases over time; and

(vii) Any other factors as determined to be necessary by the department, with input from stakeholders;

(d)(i) Identify cost factors and other variables to be considered in the development of funding estimates for government entities for any services other than curbside collection to be carried out by government entities that may be needed to achieve performance rates developed under section 202 of this act;

(ii) Identify methods to consider greenhouse gas emissions and other environmental outcomes associated with potential expansions of curbside recycling services to rural or sparsely populated areas;

(e) Compile relevant information to be considered in the development of criteria by the department to determine whether a covered product is recyclable, reusable, or compostable through Washington's curbside recycling collection system. The relevant information to be compiled may include whether covered product materials are:

(i) Or may be, collected, separated, and processed in sufficient quantity and quality into a marketable feedstock that can be used in the production of new products; or

(ii) Designed in a way that is problematic for reuse, recycling, or composting;

(f) Evaluate how the state's existing recycling system can be improved in a socially just manner as it relates to activities required under this chapter. The assessment must:

(i) Include meaningful consultation with overburdened communities and vulnerable populations;

(ii) Determine conditions and make recommendations including, at minimum:

(A) Improving access to the recycling system for women and minority individuals;

(B) The sufficiency of local government requirements related to multifamily recycling services and their implementation;

(C) Identification of activities that negatively disproportionately impact any community and in particular overburdened communities and vulnerable populations, including new fees, costs, or deposits;

(D) Improving the sufficiency of recycling education and outreach programs relative to desired socially just management outcomes;

(E) Recommendations for improving socially just management practices and outcomes in the state's recycling system; and

(F) Evaluate the extent to which covered products contribute to litter and marine debris. The assessment should draw on available data, assess gaps, and identify strategies for improving prevention and cleanup of litter and marine debris from covered products;

(g) Compile information from available data sources on the presence of toxic substances in covered products and their potential negative impacts on reuse, recycling, and composting systems. The information compiled is intended to inform the development of ecomodulation factors that incentivize the reduction of toxic substances that have potentially negative impacts when covered products are managed through reuse, recycling, and composting systems; and

(h) Conduct voluntary interviews with service providers of curbside recycling services or recycling processing services within a jurisdiction on costs for additional infrastructure, vehicles, staff, equipment, and other investments to achieve the recycling performance goal established under section 202 of this act.

NEW SECTION. Sec. 205. COVERED PRODUCT PRODUCER REGISTRATION AND REPORTING.

(1) Beginning January 1, 2026, a producer that offers for sale, sells, or distributes in or into Washington covered products must register with the department individually or through a third-party representative registering on behalf of a group of producers.

(2) The registration information submitted to the department under this section must include a list of the producers of covered products and the brand names of the covered products represented in the registration submittal. Beginning in 2027, a producer may submit registration information at the same time as the information submitted through the annual reporting in subsection (3) of this section.

(3)(a) Beginning April 1, 2027, each producer of covered products, individually or through a third party representing a group of producers, must provide an annual report to the department that includes, by material category, the volume in pounds of covered products sold, offered for sale, or distributed in or into Washington during the preceding calendar year.

(b) The report must be submitted in a format and manner prescribed by the department. A manufacturer may submit national data allocated on a per capita basis for Washington to approximate the information required in this subsection if the producer or third-party representative demonstrates to the department that state level data are not available or feasible to generate.

(c) The department must post the information reported under this subsection on its website, except as provided in (d) of this subsection.

(d) A producer that submits information or records to the department under this chapter may request that the information or records be made available only for the confidential use of the department, the director, or the appropriate division of the department. The director of the department must give consideration to the request and if this action is not detrimental to the public interest and is otherwise in accordance with the policies and purposes of chapter 43.21A RCW, the director must grant the request for the information to remain confidential as authorized in RCW 43.21A.160.

NEW SECTION. Sec. 206. DEPARTMENT OF ECOLOGY OVERSIGHT. (1) The department shall adopt rules as necessary to administer, implement, and enforce this section and section 205 of this act.

(2)(a) The department may conduct audits and investigations for the purpose of ensuring compliance with section 205 of this act.

(b) The department shall annually publish a list of registered producers of covered products and associated brand names, their compliance status, and other information the department deems appropriate on the department's website.

(3)(a) By January 31, 2026, and every January 31st thereafter, the department must:

(i) Prepare an annual workload analysis for public comment that identifies the annual costs it expects to incur to implement, administer, and enforce this section, section 204 of this act, and section 205 of this act, and to carry out its obligations under this chapter;

(ii) Determine a total annual fee payment by producers or their third-party representatives that is adequate to cover, but not exceed, the workload identified in (a)(i) of this subsection;

(iii) Until rules are adopted under (a)(iv) of this subsection, issue a general order to all entities falling within the definition of producer. The department must equitably determine fee amounts;

(iv) By 2028, adopt rules to equitably determine annual fee payments by producers or their third-party representatives. Once such rules are adopted, the general order issued under (a)(iii) of this subsection is no longer effective; and

(v) Send notice to producers or their third-party representatives of fee amounts due consistent with either the general order issued under (a)(iii) of this subsection or rules adopted under (a)(iv) of this subsection.

(b) The department must:

(i) Apply any remaining annual payment funds from the current year to the annual payment for the coming year, if the collected annual payment exceeds the department's costs for a given year; and

(ii) Increase annual payments for the coming year to cover the department's costs, if the collected annual payment was less than the department's costs for a given year.

(c) By April 1, 2026, and every April 1st thereafter, producers or their third-party representatives must submit a fee payment as determined by the department under (a) of this subsection. Fee payments must be deposited in the packaging recycling oversight account created in section 209 of this act.

(4) For producers out of compliance with the registration or reporting requirements of section 205 of this act, the department shall provide written notification and offer information to producers. For the purposes of this section, written notification serves as notice of the violation. The department must issue at least two notices of violation by certified mail prior to assessing a penalty under subsection (5) of this section.

(5) The department may assess a penalty in an amount not to exceed \$1,000 for each day for a violation of this section or section 205 of this act. Penalties collected under this section must be deposited in the recycling enhancement account created in RCW 70A.245.100.

(6) Penalties issued under this section are appealable to the pollution control hearings board established in chapter 43.21B RCW.

NEW SECTION. Sec. 207. ADVISORY COMMITTEE. (1) An advisory committee is established.

(2) The advisory committee consists of members appointed by the department as follows:

(a) Four representatives of local governments representing geographic areas across the state, including two representatives of counties and two representatives of cities, each with one representative of urban communities and one representative of rural communities;

(b) One representative of tribal or indigenous solid waste services organizations;

(c) One representative of special purpose districts involved in activities related to the end-of-life management of solid waste;

(d) Two representatives of community-based organizations whose mission is to

serve the interests of overburdened communities and vulnerable populations;

(e) Two representatives of environmental nonprofit organizations;

(f) One owner or operator of a small business that is not eligible for representation under (g), (h), or (i) of this subsection;

(g) Six representatives of the recycling industry, including local governments' service providers, solid waste collection companies or associations, material recovery facilities, or other processing facilities;

(h) Four representatives of producers of covered products or producer trade associations representing different types of covered products;

(i) Two representatives of packaging suppliers that are not producers as defined under this chapter representing different material categories; and

(j) One representative of a retail establishment.

(3) Advisory committee members must be appointed by the director of the department by September 1, 2026. In appointing members, the department shall:

(a) Appoint members that, to the greatest extent practicable, represent diversity in race, ethnicity, age, and gender, urban and rural areas, and different regions of the state; and

(b) Consider recommendations for appointments from relevant represented groups or associations and from individuals interested in participating on the advisory committee.

(4)(a) The terms of initial appointments must be staggered to two-year and three-year appointments, with subsequent terms of three years. Members are eligible for reappointment.

(b) If there is a vacancy for any reason, the department shall make an appointment to become effective immediately for the unexpired term.

(5) The advisory committee shall meet at least once every three months at times and places specified by the department. The advisory committee may also meet at other times and places, including virtually, specified by the department or by a call of a majority of the committee members, as necessary, to carry out the duties of the advisory committee.

(6)(a) The department shall provide staff support and facilitation as necessary for the advisory committee to carry out its duties.

(b) The department may select an impartial, third-party facilitator to convene and provide administrative support to the advisory committee.

(c) The department may establish working groups, comprised of interested members of the advisory committee, to discuss issues related to implementation of this chapter, which report back to the full advisory committee including, but limited to, the truth in labeling task force established in section 208 of this act.

(7) The duties of the advisory committee include the following:

(a) Advise and make recommendations to the department on the lists developed and

published by the department under section 203 of this act;

(b) Advise and make recommendations to the department on the scope of the comprehensive statewide infrastructure analysis, cost and opportunity evaluation under section 204 of this act;

(c) Review and comment on draft comprehensive statewide infrastructure analysis, cost and opportunity evaluations prior to their completion;

(d) Review and comment on the department's implementation and administration of the registration and reporting requirements in sections 205 and 206 of this act; and

(e) Provide input, review, and comment on rules proposed by the department under this chapter.

(8) Advisory committee members that are representatives of tribes or tribal and indigenous services organizations or community-based and environmental nonprofit organizations must, if requested, be compensated and reimbursed in accordance with RCW 43.03.050, 43.03.060, and 43.03.220.

NEW SECTION. Sec. 208. TRUTH IN LABELING TASK FORCE. (1) The truth in labeling task force is established as a subgroup of the advisory committee established in section 207 of this act.

(2) The truth in labeling task force shall consist of interested members of the advisory committee.

(3) The truth in labeling task force shall study and evaluate misleading or confusing claims regarding the recyclability of products made on a product or product packaging. The task force shall make recommendations to the legislature for the development of recyclability labeling standards and requirements for products and packaging sold in Washington. The study must include consideration of issues affecting accessibility for diverse audiences.

(4) The department must transmit a final report and recommendations from the truth in labeling task force, in the form of draft legislation, to the appropriate committees of the legislature by June 1, 2026.

(5) The department must provide staff support to the truth in labeling task force.

NEW SECTION. Sec. 209. PACKAGING RECYCLING OVERSIGHT ACCOUNT. The packaging recycling oversight account is created in the custody of the state treasurer. All receipts received by the department under RCW 70A.245.020 must be deposited in the account. Expenditures from the account may be used by the department only for implementing, administering, and enforcing the requirements of this chapter. Only the director of the department or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 210. RCW 43.21B.110 and 2024 c 347 s 5, 2024 c 340 s 4, and 2024 c 339 s 16

are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to chapter 70A.230 RCW and RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.230.020, 70A.205.280, 70A.355.070, 70A.430.070, 70A.500.260, 70A.505.100, 70A.505.110, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.245.130, 70A.245.140, 70A.65.200, 70A.455.090, 70A.550.030, 70A.555.110, 70A.560.020, 70A.565.030, section 206 of this act, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 18.104.130, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.15.4530, 70A.15.6010, 70A.205.280, 70A.214.140, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 70A.505.100, 70A.555.110, 70A.560.020, 70A.565.030, 86.16.020, 88.46.070, 90.03.665, 90.14.130, 90.46.250, 90.48.120, 90.48.240, 90.56.330, and 90.64.040.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, a decision to approve or deny a solid waste management plan under RCW 70A.205.055, approval or denial of an application for a beneficial use determination under RCW 70A.205.260, an application for a change under RCW 90.03.383, or a permit to distribute reclaimed water under RCW 90.46.220.

(d) Decisions of local health departments regarding the granting or denial of solid waste permits pursuant to chapter 70A.205 RCW, including appeals by the department as provided in RCW 70A.205.130.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere

to the plan review and approval timelines in RCW 90.64.026 as provided in RCW 90.64.028.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW, except where appeals to the pollution control hearings board and appeals to the shorelines hearings board have been consolidated pursuant to RCW 43.21B.340.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. Sec. 211. 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."

Correct the title.

Representatives Fey, Dye and Connors spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Doglio spoke against the adoption of the amendment to the committee striking amendment.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1074) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 47; Nays, 49; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Abell, Barkis, Barnard, Bronoske, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Fey, Graham, Griffey, Jacobsen, Keaton, Klicker, Leavitt, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Morgan, Orcutt, Penner, Richards, Rude, Rule, Schmick, Schmidt, Shavers, Simmons, Steele, Stokesbary, Stuebe, Timmons, Volz, Walsh, Waters, Wylie and Ybarra

Voting Nay: Representatives Berg, Bergquist, Bernbaum, Berry, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Lekanoff, Macri, Mena, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Ryu, Salahuddin, Santos, Scott, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Walen, Zahn and Mme. Speaker

Excused: Representatives Dent and Mendoza

Amendment (1074) to the committee striking amendment was not adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Berry and Doglio spoke in favor of the passage of the bill.

Representatives Dye, Dufault, Engell, Schmick and Walsh spoke against the passage of the bill.

The Speaker (Representative Simmons presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5284, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5284, as amended by the House, and the bill passed the House by the following vote: Yeas, 51; Nays, 45; Absent, 0; Excused, 2

Voting Yea: Representatives Berg, Bergquist, Bernbaum, Berry, Callan, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hill, Hunt, Kloba, Lekanoff, Macri, Mena, Nance, Obras, Ormsby, Ortiz-Self, Parshley, Paul, Peterson, Pollet, Ramel, Reed, Ryu, Salahuddin, Santos, Scott, Shavers, Simmons, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Thomas, Timmons, Walen, Zahn and Mme. Speaker

Voting Nay: Representatives Abbarno, Abell, Barkis, Barnard, Bronoske, Burnett, Caldier, Chase, Connors, Corry, Couture, Dufault, Dye, Engell, Eslick, Fey, Graham, Griffey, Jacobsen, Keaton, Klicker, Leavitt, Ley, Low, Manjarrez, Marshall, McClintock, McEntire, Morgan, Orcutt, Penner, Reeves, Richards, Rude, Rule, Schmick, Schmidt, Steele, Stokesbary, Stuebe, Volz, Walsh, Waters, Wylie and Ybarra

Excused: Representatives Dent and Mendoza

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5284, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:00 a.m., Tuesday, April 15, 2025, the 93rd Day of the 2025 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

Draft

1013	Messages.....	15	1747	Messages.....	16
1028	Messages.....	15	1755	Messages.....	15
1061-S	Messages.....	15	1821-S	Messages.....	16
1081-S	Messages.....	15	1858	Messages.....	16
1105-S	Messages.....	15	1879-S	Messages.....	16
1121-S	Messages.....	15	1935-S	Messages.....	16
1141-S	Messages.....	15	1967-S	Messages.....	16
1183-S2	Messages.....	15	2020	Other Action	28
1201-S	Messages.....	15	2077	Introduction & 1st Reading	1
1222	Messages.....	15	5009-S	Second Reading	16
1260-S	Messages.....	15		Amendment Offered.....	16
1261-S	Messages.....	15		Third Reading Final Passage.....	16
1273-S2	Messages.....	16	5021	Messages.....	15
1279	Messages.....	16	5065	Messages.....	15
1287	Messages.....	16	5074-S	Messages.....	15
1294-S	Messages.....	16	5076-S	Messages.....	15
1309-S	Messages.....	16	5101-S	Other Action	28
1321-S	Messages.....	16	5104-S	Second Reading	27
1325-S	Messages.....	16		Amendment Offered.....	27
1327	Messages.....	16		Third Reading Final Passage.....	28
1355	Messages.....	16	5109	Other Action	28
1391-S2	Messages.....	15	5148-S2	Second Reading	16
1393	Messages.....	16		Amendment Offered.....	16
1484	Messages.....	16		Third Reading Final Passage.....	25
1486-S	Messages.....	16	5157-S	Messages.....	15
1531-S	Messages.....	16	5181-S	Second Reading	5
1540	Messages.....	16		Amendment Offered.....	5-7, 9-11, 13
1563-S2	Messages.....	16		Third Reading Final Passage.....	14
1602	Messages.....	15		Other Action	5, 14, 15
1609	Messages.....	16	5192-S	Other Action	28
1636	Messages.....	16	5202-S	Messages.....	15
1644-S	Messages.....	16	5217-S2	Second Reading	3
1650-S	Messages.....	16		Amendment Offered.....	4
1669-S	Messages.....	16		Third Reading Final Passage.....	4
1696-S2	Messages.....	15	5232-S	Second Reading	26
1705	Messages.....	16		Amendment Offered.....	26
1718-S	Messages.....	16		Third Reading Final Passage.....	26
1722	Messages.....	16	5239-S	Messages.....	15
			5245-S	Second Reading	3
				Third Reading Final Passage.....	3
			5280	Other Action	28
			5281-S	Other Action	28
			5284-S2	Second Reading	28
				Amendment Offered.....	28, 31-34, 36-42, 49
				Third Reading Final Passage.....	49
			5288	Messages.....	15

5306	Messages.....	15	5764	Third Reading Final Passage.....	28
5313	Other Action	28		Messages.....	15
5317	Second Reading	26	8008	Messages.....	15
	Amendment Offered	26		HOUSE OF REPRESENTATIVES (Representative Stearns presiding)	
	Third Reading Final Passage	27		Statement for the Journal Representative Corry.....	2
5323-S	Second Reading	3		Statement for the Journal Representative Dufault.....	2
	Third Reading Final Passage	3			
5337-S2	Second Reading	1			
	Amendment Offered	1			
	Third Reading Final Passage	1			
5343	Second Reading	5			
	Third Reading Final Passage	5			
5361	Other Action	28			
5391	Messages.....	15			
5412-S	Second Reading	4			
	Amendment Offered	4			
	Third Reading Final Passage	4			
5414	Messages.....	15			
5419-S	Second Reading	25			
	Amendment Offered	25			
	Third Reading Final Passage	25			
5445-S	Other Action	28			
5466-S	Other Action	28			
5473	Second Reading	2			
	Third Reading Final Passage	2			
5478	Second Reading	2			
	Third Reading Final Passage	2			
5480-S	Messages.....	15			
5485	Second Reading	2			
	Third Reading Final Passage	3			
5493-S	Messages.....	15			
5498	Messages.....	15			
5501-S	Messages.....	15			
5529	Other Action	28			
5568-S	Other Action	28			
5616	Second Reading	1			
	Third Reading Final Passage	2			
5641	Messages.....	15			
5655-S	Messages.....	15			
5656	Messages.....	15			
5672	Second Reading	4			
	Amendment Offered	4			
	Third Reading Final Passage	5			
5689	Other Action	28			
5696	Messages.....	15			
5721	Second Reading	28			